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CONTENTS.

A TABLE CONTAINING THE TITLES OF ALL THE STATUTES PASSED DURING THE SESSION:—

Public General Acts - - - - - v
Local Acts - - - - - - xiii
Private Acts - - - - - - xxvii

TABLES SHOWING THE EFFECT OF THE YEAR'S LEGISLATION:—

A.—Acts of 33 & 34 Vict. (in order of chapter) showing their effect on former Acts - - xxviii

B.—Acts of former Sessions (in chronological order) Repealed and Amended by Acts of 33 & 34 Vict. - - - - - xxxvi

THE PUBLIC GENERAL STATUTES, 33 & 34 Vict. - 1

A LIST OF THE LOCAL AND PRIVATE ACTS ARRANGED IN CLASSES - - - - - - - 719

INDEX TO THE PUBLIC GENERAL STATUTES - - 725

BX 4

A

TABLE

CONTAINING

The TITLES of all the STATUTES passed in the SECOND Session of the TWENTIETH Parliament of the United Kingdom of GREAT BRITAIN and IRELAND.

33 & 34 VICTORIA.—A.D. 1870.

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PUBLIC GENERAL ACTS.

1. AN Act to empower Committees on Bills confirming Provisional Orders to award Costs and examine Witnesses on Oath. 1

2. An Act to make provision for the proceedings of Boards of Management and Boards of Guardians upon the dissolution of Districts and Unions or the annexation of Parishes to Unions. 2

3. An Act to make better provision for making laws and regulations for certain parts of India, and for certain other purposes relating thereto. 6

4. An Act to make provision for the assessment of Income Tax, and to amend the law relating to Inland Revenue. 8

5. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy, and one thousand eight hundred and seventy-one, and preceding years. 9

6. An Act to extend the Jurisdiction of the Judges of the Superior Courts of Common Law at Westminster. 10

7. An Act for punishing Munity and Desertion, and for the better payment of the Army and their Quarters. 11

8. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. 75

9. An Act to amend "The Peace Preservation (Ireland) Act, 1856," and for other purposes relating to the Preservation of Peace in Ireland. 130

10. An Act to consolidate and amend the law relating to the Coinage and Her Majesty's Mint. 153

11. An Act to enable the officers employed in the Collector-General of Rates' office in the city of Dublin to vote at Parliamentary Elections for that city. 163

12. An Act to repeal certain Duties of Customs in the Isle of Man. 163

13. An Act to amend the Law relating to the Surveys of Great Britain, Ireland, and the Isle of Man. 164

14. An Act to amend the Law relating to the legal condition of Aliens and British Subjects. 166

15. An Act to transfer to the Commissioners of Her Majesty's Works and Public Buildings the property in and control over the buildings and property of the County Courts in England, and for other purposes relating thereto. 176

16. An Act to define the boundary between the counties of Inverness and Elgin or Moray, in the district of Strathspey; and for other purposes. 177

17. An Act for making further provision relating to the Management of certain Departments of the War Office. 182

18. An Act to provide for the equal distribution over the Metropolis of a further portion of the charge for the Relief of the Poor. 184

19. An Act to amend "The Railway Companies Powers Act, 1864," and "The Railway Construction Facilities Act, 1864." 185

20. An Act to amend "The Mortgage Debenture Act, 1865." 188

21. An Act to disfranchise the Boroughs of Bridgwater and Beverley. 194

22. An Act to confirm a certain Provisional Order made under an Act of the fifteenth year of Her present Majesty, to facilitate arrangements for the relief of Turnpike Trusts. 196

23. An Act to abolish Forfeitures for Treason and Felony, and to otherwise amend the Law relating thereto. 197

24. An Act for making further provision respecting the borrowing of money by the Metropolitan Board of Works. 205

25. An Act to disfranchise certain Voters of the City of Norwich. 207

26. An Act to regulate the Sale of Poisons in Ireland. 208

27. An Act for the Protection of Inventions exhibited at International Exhibitions in the United Kingdom. 210

28. An Act to amend the law relating to the Remuneration of Attorneys and Solicitors. 211

29. An Act to amend and continue "The Wine and Beer-house Act, 1869." 216

30. An Act to abolish Attachment of Wages. 221

31. An Act to apply the sum of nine million pounds out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-one. 222

32. An Act to grant certain Duties of Customs and Inland Revenue, and to repeal and alter other Duties of Customs and Inland Revenue. 223

33. An Act to amend the Acts relating to the Export of unseasonable Salmon. 232

34. An Act to amend the Law as to the Investment on Real Securities of Trust Funds held for public and charitable purposes. 232

35. An Act for the better Apportionment of Rents and other periodical Payments. 233

36. An Act to amend "The Cattle Disease Act (Ireland), 1866." 235

37. An Act to enable the senior Magistrate of populous Places in Scotland to act ex officio as a Justice of the Peace and Commissioner of Supply for the County in which the said populous Place is situated. 240

38. An Act to disfranchise the Boroughs of Sligo and Cashel. 241

39. An Act to facilitate transfers of Ecclesiastical Patronage in certain cases. 242

40. An Act for authorising a guarantee of a loan to be raised by the Government of New Zealand for the construction of roads, bridges, and communications in that country, and for the introduction of settlers into that country. 243

41. An Act for raising the sum of one million three hundred thousand pounds by Exchequer Bonds for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-one. 245

42. An Act to empower magistrates and town councils of burghs in Scotland to abolish petty customs and to levy a rate in lieu thereof. 247

43. An Act to alter certain Duties of Customs upon Refined Sugar in the Isle of Man. 248

44. An Act to declare the Stamp Duty chargeable on certain Leases. 248

45. An Act for establishing a District Registrar of the High Court of Admiralty in England at Liverpool. 249

46. An Act to amend the Law relating to the Occupation and Ownership of Land in Ireland. 252

47. An Act for extending to Ireland and amending "The Dividends and Stock Act, 1869." 284

48. An Act for removing doubts respecting the payment of Expenses incurred in the Conveyance of Paupers in certain cases not expressly provided for by law. 285

49. An Act to explain and amend "the Evidence Further Amendment Act, 1869." 285

50. An Act to amend "The Shipping Dues Exemption Act, 1867." 286

51. An Act to repeal an Act intituled "An Act to alter the "mode of giving Notices for the holding of Vestries, of "making Proclamation in cases of Outlawry, and of giving "Notices on Sundays in respect to various matters," so far as such Act relates to the Isle of Man. 287

52. An Act for amending the Law relating to the Extradition of Criminals. 288

53. An Act to amend certain provisions in the Sanitary and Sewage Utilization Acts. 300

54. An Act to disfranchise certain Voters of the City of Dublin. 301

55. An Act to vest Jurisdiction in matters arising within the Dominions of the Kings of Siam in the Supreme Court of the Straits Settlements. 302

56. An Act to enable the owners of Settled Estates in England and Ireland to charge such estates, within certain limits, with the expense of building mansions as residences for themselves. 303

57. An Act to grant a Duty of Excise on Licences to use Guns. 305

58. An Act to further amend the Law relating to indictable offences by Forgery. 308

59. An Act to render valid certain Contracts informally executed in India. 310

60. An Act to relieve the Brokers of the City of London from the supervision of the Court of Mayor and Aldermen of the said City. 311

61. An Act to amend the Law relating to Life Assurance Companies. 314

62. An Act to amend and extend the Acts relating to Factories and Workshops. 326

63. An Act to limit Wages Arrestment in Scotland. 331

64. An Act to amend the Petty Sessions Clerk (Ireland) Act, 1858. 332

65. An Act to amend the Law relating to Advertisements respecting Stolen Goods. 333

66. An Act to make further provision for the Government of British Columbia. 334

67. An Act to shorten the time of Active Service in the Army, and to amend in certain respects the Law of Enlistment. 335

68. An Act to amend the Acts relating to the Militia of the United Kingdom. 340

69. An Act for further promoting the revision of the Statute Law by repealing certain enactments that have ceased to be in force or are consolidated by certain Acts of the present Session. 341

70. An Act to facilitate in certain cases the obtaining of powers for the construction of Gas and Water Works and for the supply of Gas and Water. 356

71. An Act for consolidating, with Amendments, certain Enactments relating to the National Debt. 365

72. An Act for granting Certificates to Pedlars. 380

73. An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads. 387

74. An Act to confirm the Award under "The Curragh of Kildare Act, 1868," and for other purposes relating thereto. 409

75. An Act to provide for public Elementary Education in England and Wales. 443

76. An Act to facilitate the Arrest of Absconding Debtors. 483

77. An Act to amend the Laws relating to the qualifications, summoning, attendance, and remuneration of Special and Common Juries. 485

78. An Act to facilitate the construction and to regulate the working of Tramways. 490

79. An Act for further regulation of Duties of Postage, and for other purposes relating to the Post Office. 521

80. An Act for taking the Census of Ireland. 526

81. An Act to amend the Acts of the thirty-seventh year of King George the Third, chapter one hundred and twenty-seven, and the thirty-ninth and fortieth years of King George the Third, chapter fourteen. 529

82. An Act to authorise the Commissioners of Her Majesty's Treasury to guarantee the payment of a loan to be raised by the Government of Canada for the construction of fortifications in that country. 530

83. An Act to make better provision for the Police Force in the City of Londonderry, and to amend the Acts relating to the Royal Irish Constabulary Force. 532

84. An Act to amend the Public Schools Act, 1868. 536

85. An Act to declare the Hundred in which a Piece of Land in the County of Norfolk is situate, and to provide for the Assessment of the said Piece of Land to the County Rate. 537

86. An Act to amend and extend the Act sixteenth and seventeenth Victoria, chapter ninety-two, to make further provision for uniting counties in Scotland in so far as regards the jurisdiction of the Sheriff; and also to make certain provisions regarding the duties of Sheriffs and Sheriffs Substitute in Scotland. 538

87. An Act to amend the Act twenty-third and twenty-fourth Victoria, chapter fifty, intituled "An Act to abolish "the Annuity Tax in Edinburgh and Montrose, and to "make provision in regard to the Stipends of the Ministers "in that City and Burgh, and also to make provision for "the Patronage of the Church of North Leith;" and to make provision for the abolition of the Annuity Tax within the Parish of Canongate, and for the payment of the Minister of said Parish. 542

88. An Act to extend the Telegraph Acts of 1868, 1869, to the Channel Islands and the Isle of Man. 556

89. An Act to enable the Governors of Queen Anne's Bounty to provide Superannuation Allowances for their Officers. 558

90. An Act to regulate the conduct of Her Majesty's subjects during the existence of hostilities between foreign states with which Her Majesty is at peace. 560

91. An Act for the relief of persons admitted to the office of Priest or Deacon in the Church of England. 572

92. An Act to amend the Laws for the Election of the Magistrates and Councillors of Royal and Parliamentary Burghs in Scotland. 574

93. An Act to amend the Law relating to the Property of Married Women. 577

94. An Act to provide for Superannuation Allowances to Medical Officers of Unions, Districts, and Parishes in England and Wales. 582

95. An Act to authorise the carriage of Naval and Military Stores in Passenger Ships. 582

96. An Act to apply a sum out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-one, and to appropriate the Supplies granted in this Session of Parliament. 583

97. An Act for granting certain Stamp Duties in lieu of Duties of the same kind now payable under various Acts, and consolidating and amending provisions relating thereto. 602

98. An Act for consolidating and amending the Law relating to the Management of Stamp Duties. 659

99. An Act for the repeal of certain Enactments relating to the Inland Revenue. 670

100. An Act to amend the Law relating to the repayment to the Consolidated Fund of money expended for the benefit of Greenwich Hospital. 675

101. An Act for amending the Sixth Section of the Pensions Commutation Act, 1869. 676

102. An Act to amend the Law relating to the taking of Oaths of Allegiance on Naturalization. 677

103. An Act to continue various expiring Laws. 678

104. An Act to facilitate compromises and arrangements between creditors and shareholders of Joint Stock and other Companies in Liquidation. 682

105. An Act for appointing a Commission to inquire into the alleged prevalence of the Truck System, and the disregard of the Acts of Parliament prohibiting such system, and for giving such Commission the powers necessary for conducting such Inquiry. 682

106. An Act to amend the Sanitary Act, 1866, so far as relates to the City of Dublin. 686

107. An Act for taking the Census of England. 687

108. An Act for taking the Census in Scotland. 693

109. An Act to abolish certain Real Actions in the Superior Courts of Common Law in Ireland, and further to amend the Procedure in the said Courts; and for other purposes. 698

110. An Act to provide for the administration of the Law relating to Matrimonial Causes and Matters, and to amend the Law relating to Marriages, in Ireland. 701

111. An Act to make provision in relation to certain Beerhouses not duly qualified according to Law. 714

112. An Act to amend the Act of the first and second years of the reign of His late Majesty King William the Fourth, chapter thirty-three, in part, and to afford facilities for obtaining Loans for the erection, enlargement, and improvement of Glebe Houses, and for the acquirement of lands for Glebes, in Ireland. 715

The Acts contained in the following List, being PUBLIC ACTS of a Local Character, are placed amongst the LOCAL AND PERSONAL ACTS.

vi. An Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to Boston Deeps and Emsworth.

xxvii. An Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to the Frith of Forth.

lxxxi. An Act to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same.

lxxxii. An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Alum Bay, Dartmouth, Ilfracombe, Penryn, and Walton-on-the-Naze.

cxiv. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Blackpool, Bristol, Eton, Heckmondwike, Kidderminster, Lincoln, Nottingham, Plymouth, South Molton, Wallasey and Ware; and for other purposes relative to certain districts under the said Act.

cxv. An Act to confirm Provisional Orders under "The General Police and Improvement (Scotland) Act, 1862," relating to the Burghs of Dunfermline and Perth.

cxvi. An Act for confirming a Scheme of the Charity Commissioners for the Jewish United Synagogues.

cxvii. An Act for confirming a Scheme of the Charity Commissioners for certain charities in the parishes of Saint Olave and Saint John in the borough of Southwark.

cxxxii. An Act to confirm a Provisional Order under the "Public Health (Scotland) Act, 1867," relating to the Burgh of Fraserburgh.

clvi. An Act to confirm a Provisional Order under "The Sewage Utilization Acts," relating to the district of East Barnet.

clvii. An Act to confirm a Provisional Order under "The Drainage of Lands (Ireland) Act, 1863," and the Acts amending the same.

clviii. An Act for confirming certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Falmouth, Irvine, Kinsale, Mousehole, St. Leonards-on-Sea, and Ventnor.

clix. An Act for confirming a Provisional Order made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Burntisland.

clxv. An Act to confirm a Provisional Order under "The Local Government Act, 1858," relating to the district of Merthyr Tydfil.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

i. AN Act to authorise the Chester United Gas Company to raise additional Capital.

ii. An Act for supplying the town and parish of Mansfield in the county of Nottingham with Water.

iii. An Act to enable the Runcorn, Weston, and Halton Waterworks Company to raise additional Capital.

iv. An Act for extending the powers of "The Leicester Lunatic Asylum and Improvement Act, 1865," and for other purposes.

v. An Act for better supplying with Gas the borough of Newport and the parishes of Carisbrooke, Whippingham, and St. Nicholas in the Isle of Wight in the county of Southampton; and for other purposes.

vi. An Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to Boston Deeps and Emsworth.

vii. An Act to consolidate into one ordinary Stock the separate ordinary Stocks and Shares in the North-eastern Railway Company, and to make other provisions consequent thereon, and in reference to the Share Capital of the Company; and for other purposes.

viii. An Act to ascertain and commute Commonable and certain other Rights in the Abbot's Wood in the Forest of Dean in Gloucestershire.

ix. An Act to authorise the abandonment of a portion of the Callander and Oban Railway, to extend the time for the completion of another portion thereof; and for other purposes.

x. An Act for incorporating "The Airedale Gas Company," and for enabling them to supply Gas to parts of the townships of Idle and Eccleshill, in the West Riding of Yorkshire.

xi. An Act for incorporating "the Kings Lynn Gas Company," and for enabling them to supply Gas to Kings Lynn and other places in Norfolk.

xii. An Act for incorporating the Wrexham Gaslight Company, with powers to supply the town of Wrexham and its neighbourhood with Gas; and for other purposes.

xiii. An Act to authorise the construction of a Railway from the Midland Railway at Chesterfield to Brampton, and Branch Railways or Tramways connected therewith, in the county of Derby; and for other purposes.

xiv. An Act to enable the Commissioners of Police of the Burgh of Broughty Ferry to purchase the Gasworks of the Broughty Ferry Gaslight Company, and to supply gas within the said Burgh and District.

xv. An Act to amend the Acts relating to the Asylum for Female Orphans.

xvi. An Act to enable the Severn and Wye Railway and Canal Company to extend their railway to the Ross and Monmouth Railway near the River Wye.

xvii. An Act to enable the local board for the district of Hyde, in the county palatine of Chester, to purchase the Hyde, Werneth, and Newton Waterworks, and to confer upon them other powers with reference thereto.

xviii. An Act for better supplying with Water the town and parish of Beccles, in the county of Suffolk.

xix. An Act to amend The Fylde Waterworks Act, 1861, to increase the capital of the Fylde Waterworks Company, to extend and define the limits of supply, to give power to alter the number of directors; and for other purposes.

xx. An Act to amend and extend the Acts relating to the Millwall Canal Company, to change the name of the Company; and for other purposes.

xxi. An Act to alter and enlarge some of the powers of "The North British and Mercantile Insurance Company."

xxii. An Act for better supplying with Water the parishes of Old Shoreham, New Shoreham, Kingston-by-Sea, Southwick, Portslade, and Aldrington, in the county of Sussex.

xxiii. An Act to amend and enlarge the Provisions of "The Southport Waterworks Act, 1854," "The Southport Waterworks Act, 1856," and "The Southport Waterworks Act, 1867," to make further and better Provision for supplying the town of Southport and the adjoining districts with Water; and for other purposes.

xxiv. An Act for dissolving the Yeadon Waterworks Company limited, and re-incorporating the Proprietors therein with others for more effectually supplying with Water the Township of Yeadon, and certain parts of the Township of Rawden, both in the Parish of Guiseley, in the West Riding of the County of York; and for other purposes.

xxv. An Act to incorporate the Proprietors of the Chiltern Hills Spring Water Company (Limited), and granting them powers with reference to Supply of Water to the town of Aylesbury and the vicinity thereof; and other purposes.

xxvi. An Act to incorporate the Brecon Gas Company, and to enable them to supply the town of Brecon with gas; and for other purposes relating to the Company.

P. **xxvii.** An Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to the Frith of Forth.

xxviii. An Act to confer further powers on the Wolverhampton and Walsall Railway Company.

xxix. An Act to grant further powers to the Newport Pagnell Railway Company.

xxx. An Act to incorporate the Eccleshill and Bolton Gas Company, Limited, and to make further provision for lighting certain parts of the townships of Eccleshill and Bolton with Gas; and for other purposes.

xxxi. An Act for the making of a Railway from Golspie to *Helmsdale in the county of Sutherland*, and for the abandonment of part of the authorised railway of the Sutherland Railway Company; and for other purposes.

xxxii. An Act to authorise the construction of a Bridge over the river Trent in the County of Nottingham, and Roads and Approaches thereto, to be called "the Gunthorpe Bridge."

xxxiii. An Act to constitute a body of Commissioners, and to empower them to purchase certain shipping dues from His Royal Highness the Prince of Wales; and also to provide for the alteration and ultimate extinction of such shipping dues, and for raising moneys; and for other purposes.

xxxiv. An Act to vest Fosdyke Bridge and certain property connected therewith in the inhabitants of the parts of Holland in Lincolnshire as a county bridge and county property.

xxxv. An Act for vesting in the Corporation of Paisley the supply of Gas to that town and the suburbs thereof; and for other purposes.

xxxvi. An Act to confer various powers upon the Great Eastern Railway Company with respect to the Ramsey Branch of the said Company, and the Tendring Hundred Railway; and for other purposes.

xxxvii. An Act for better raising and securing a Fund for the Widows and Children of the Officers, Agents, Clerks, and Porters of the Royal Bank of Scotland.

xxxviii. An Act for dissolving the Saint Alban's Gas and Water Company, and re-incorporating the proprietors therein with others for more effectually supplying with Gas the borough of Saint Alban and other adjoining parishes and places; and for other purposes.

xxxix. An Act to extend the Time for the compulsory Purchase of Lands for the purposes of the North Metropolitan Railway Act, 1867.

xl. An Act for incorporating and granting further powers to the Hebden Bridge Gas Company.

xli. An Act for making a Railway from the Hawthornden station of the Peebles Railway to Penicuik in the county of Edinburgh; and for other purposes.

xlii. An Act to amend two Acts for Repressing Juvenile Delinquency in the City of Glasgow.

xliii. An Act to enable the Local Board for the District of Aberdare to erect Waterworks and supply Water; to purchase the Undertaking of the Aberdare Waterworks Company; and for other purposes.

xliv. An Act for conferring various additional powers upon the Caledonian Railway Company; and for other purposes.

xlv. An Act to empower the corporation of Northampton to establish Markets and Fairs; and for other purposes.

xlvi. An Act to authorise the Construction of the Edinburgh, Loanhead, and Roslin Railway.

xlvii. An Act to enable the Metropolitan and Saint John's Wood Railway Company to abandon the authorised Extension of their Railway to Hampstead; and for other purposes.

xlviii. An Act for authorising the Corporation of the Royal Infirmary of Edinburgh to remove their infirmary buildings to a more suitable position, and to acquire for that purpose the site of George Watson's Hospital and adjacent lands; and for other purposes.

xlix. An Act to extend the time for completing the works of the Milford Haven Dock and Railway Company; to lease the undertaking; and for other purposes.

l. An Act for extending the time for the completion of the Bedford and Northampton Railway.

li. An Act for enabling the Reading Gas Company to raise additional Capital; to construct new Works; for extending their Limits of Supply; and for other purposes.

lii. An Act for making alterations in the authorised Metropolitan Railways of the Great Eastern Railway Company, and for extending the time for the completion thereof; and for conferring upon that Company and upon certain other companies other powers in connexion with the said railways; and for other purposes.

liii. An Act for empowering the Mayor, Aldermen, and Burgesses of the city and borough of Bath to more effectually supply with Water the city and borough of Bath; and for other purposes.

liv. An Act to authorise the Trustees of the Clyde Navigation to construct a Dock or Tidal Basin, Quays, Tramways, and other works at the Harbour of Glasgow; to abandon certain works, and to borrow additional money; and for other purposes.

lv. An Act to enlarge the powers of the East London Railway Company for the compulsory purchase of lands and for the completion of works, and to enable them to raise further money; to confirm and authorise agreements between the East London and other Railway Companies; and for other purposes.

lvi. An Act for the transfer to the mayor, aldermen, and burgesses of the borough of Leeds of the undertakings of the Leeds Gaslight Company and the Leeds New Gas Company; and for other purposes.

lvii. An Act for better supplying with Water the town of Ruabon and places adjacent, in the county of Denbigh.

lviii. An Act to authorise the Limerick and Ennis Railway Company to cancel certain authorised but unissued Shares, and to borrow on Mortgage in lieu thereof, and to issue Debenture Stock; and for other purposes.

lix. An Act to authorise the Limerick and Foynes Railway Company to cancel certain authorised but unissued preference shares, and to borrow on mortgage in lieu thereof, and to issue debenture stock; and for other purposes.

lx. An Act to confer further powers on the Company of Proprietors of the Birmingham Canal Navigations; and for other purposes.

lxi. An Act to enable the Gloucester and Berkeley Canal Company to extend and improve their works, to convert their existing capital into stock; and for other purposes.

lxii. An Act to enlarge the powers of the London and Blackwall Railway Company, and to enable them to abandon certain Railways authorised by "The London, Blackwall, and Millwall Extension Railway Act, 1865."

lxiii. An Act for conferring additional powers on the Midland Railway Company for the construction of works, and for the raising of further capital; and for other purposes.

lxiv. An Act to extend the Limits and increase the Capital of the Shipley Gaslight Company; and for other purposes.

lxv. An Act to authorise the construction a of Bridge over the River Ouse in the county of York, to be called "Cawood Bridge."

lxvi. An Act to authorise the Waterworks Commissioners of Kirkcaldy and Dysart to raise a further sum of money, and to amend "The Kirkcaldy and Dysart Waterworks Act, 1867;" and for other purposes.

lxvii. An Act to extend the time for the completion of Stapenhill Bridge at Burton-upon-Trent.

lxviii. An Act for more effectually lighting with Gas Buxton and other places in Derbyshire.

lxix. An Act to enable the Local Board for the district of Cleckheaton to make and supply Gas, and to purchase the undertaking of the Cleckheaton Gas Company, to confer other powers in relation to gas on the said Local Board; and for other purposes.

lxx. An Act for granting further powers to the Imperial Continental Gas Association.

lxxi. An Act to enable the Great Northern Railway Company to abandon the construction of the Watford and Edgware Railway.

lxxii. An Act to authorise the Dare Valley Railway Company to raise additional capital, to abandon a portion of their authorised railway, and to lease their undertaking to the Taff Vale Railway Company; and for other purposes.

lxxiii. An Act to authorise the Llantrissant and Taff Vale Junction Railway Company to abandon the construction of a certain railway authorised by "The Llantrissant and Taff Vale Junction Railway Act, 1866;" and to extend the time for the completion of another railway authorised by the same Act; and to lease their undertaking to the Taff Vale Railway Company; and for other purposes.

lxxiv. An Act for the revival of the powers and extension of the time for the compulsory purchase of lands and completion of the railway authorised by "The Girvan and Portpatrick Junction Railway Act, 1865," and also for enabling the Girvan and Portpatrick Junction Railway Company to divide and convert the shares in their capital into preferred and deferred shares; and for other purposes.

lxxv. An Act for extending the Limits within which the Cardiff Gaslight and Coke Company may supply Gas, and for empowering the Company to raise additional Capital; and for other purposes.

lxxvi. An Act incorporating and conferring further powers on the Carmarthen Gas Company.

lxxvii. An Act to incorporate a Company for better supplying with Gas and Water the township of Rainhill, in the parish of Prescot and county palatine of Lancaster; and for other purposes.

lxxviii. An Act for the abandonment of the extension authorised by "The Blane Valley Railway Extension Act, 1865;" and for other purposes.

lxxix. An Act for authorising the Lancashire and Yorkshire Railway Company and the London and North-western Railway Company to run Steam Vessels between Fleetwood and Belfast; and for other purposes.

lxxx. An Act for conferring powers on the Lancashire and Yorkshire Railway Company for the construction of a railway and other works, and the acquisition of lands, in the west riding of the county of York and the county of Lancaster; and for other purposes.

P. **lxxxi.** An Act to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same.

P. **lxxxii.** An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Alum Bay, Dartmouth, Ilfracombe, Penryn, and Walton-on-the-Naze.

lxxxiii. An Act for vesting in the Great Western Railway Company the undertaking of the Company of Proprietors of the Herefordshire and Gloucestershire Canal Navigation; and for other purposes.

lxxxiv. An Act for enabling the London and North-western and the Lancashire and Yorkshire Railway Companies to alter and enlarge their station at Preston, and in connexion therewith to acquire lands and execute certain works, and for authorising Agreements between the Companies in reference to those and other matters; and for other purposes.

lxxxv. An Act to incorporate the Colne Fishery Company, and to authorise the demise to them of the Fishery of the River Colne.

lxxxvi. An Act to enable the Dublin and Antrim Junction Railway Company to raise further moneys by borrowing; and for other purposes.

lxxxvii. An Act for carrying into effect Arrangements with respect to Commons parcel of the Manor of the City of Lincoln.

lxxxviii. An Act to make provision for supplying the Borough of Yeovil with Water; for amending "The Borough of Yeovil Extension and Improvement Act, 1854;" and for other purposes.

lxxxix. An Act to extend for a further Period the Time for the Construction of a Portion of the Railway authorised by the Great Northern and Western (of Ireland) Railway Act, 1861; and for other purposes.

xc. An Act to authorise the Tyne Improvement Commissioners to collect certain Coal and other Dues now collected by the Mayor, Aldermen, and Burgesses of the borough of Newcastle-upon-Tyne, and to apply the whole thereof to the Tyne Improvement Fund; and for other purposes.

xci. An Act to amend "The Edinburgh and Bathgate Railway Act, 1846," with respect to the Rents payable under the Lease thereby authorised; and for other purposes.

xcii. An Act for the abandonment of the authorised street from the Thames Embankment below Charing Cross railway bridge to Wellington Street, Strand; and for other purposes.

xciii. An Act for making further provision with respect to the Sanitary Condition of the Borough of Leeds; and for other purposes.

xciv. An Act to enable the Metropolitan District Railway Company to make a Station near Bread Street, and for other purposes with respect to the same Company.

xcv. An Act for amending and extending the Acts relating to the supply of Water and Gas in the borough of Halifax and its neighbourhood, and to the improvement of that borough; and for other purposes.

xcvi. An Act to enable the lord mayor, aldermen, and burgesses of Dublin to enlarge and extend portions of the Dublin Corporation Waterworks; to amend the Dublin Corporation Waterworks Acts, 1861, 1863, and 1866; to construct additional filter beds; to lay down additional mains or pipes; to consolidate their powers; to confirm agreements; and for other purposes.

xcvii. An Act to authorise the Belfast Harbour Commissioners to sell their surplus lands, and to make leases.

xcviii. An Act to enable the Sevenoaks, Maidstone, and Tunbridge Railway Company to make a deviation of their authorised railway; to extend the time for making a part of the same; and for other purposes.

xcix. An Act to amalgamate the Atlantic Telegraph Company with the Anglo-American Telegraph Company, and to provide for the dissolution of the Atlantic Telegraph Company; and for other purposes.

c. An Act for making Intercepting and Outfall Sewers for Brighton and certain neighbouring districts; and for other purposes.

ci. An Act to lease the Great Northern and Western (of Ireland) Railway to the Midland Great Western Railway (of Ireland) Company; and for other purposes.

cii. An Act for conferring additional powers upon the Company of Proprietors of the Skipton Waterworks with reference to their undertaking and the raising of money; and for other purposes.

ciii. An Act to extend the time for the construction by the Metropolitan Railway Company of the Tower Hill Extension.

civ. An Act to authorise Alterations in the Stobcross Railways and other works; to confer Powers upon the Trustees of the Clyde Navigation and others in reference to the Stobcross undertaking; to extend the time for the Purchase of Land and completion of various Railways; to convert Port Edgar into a Harbour; to provide for the Conversion of the Leadburn Preference Stock into Ordinary Stock, and for the Consolidation of the Lien Stocks of the North British Railway Company; and for other purposes.

cv. An Act for enabling the North-eastern Railway Company to construct a railway from Leyburn to Hawes, and other works, and acquire additional lands; for the abandonment of the authorised Hawes and Melmerby Railway; and for vesting in the Company the undertaking of the West Durham Railway Company; and for other purposes.

cvi. An Act for empowering the Brighton and Hove General Gas Company to construct works at or near New Shoreham Harbour, and to acquire a site for the same; and for other purposes.

cvii. An Act to extend the time for the completion of the Railway and Works of the Navan and Kings Court Railway Company, to enable that Company to enter into working and other agreements with certain Companies; and for other purposes.

cviii. An Act for the arrangement by Arbitration of the Affairs of the Newry and Armagh Railway Company.

cix. An Act for the Abandonment of the Railways authorised by "The Tottenham and Hampstead Junction Railway Act, 1865;" and for other purposes.

cx. An Act for making railways from Barnstaple to Ilfracombe; and for other purposes.

cxi. An Act to enable the Downpatrick, Dundrum, and Newcastle Railway Company to grant a lease of their undertaking; and for other purposes.

cxii. An Act for conferring additional powers on the London and North-western Railway Company in relation to their own undertaking and the undertakings of other Companies; and for other purposes.

cxiii. An Act for extending the limits of the district under the authority of the West Hartlepool Improvement Com-

missioners, and for making better provision for the improvement and government of the extended district; and for other purposes.

P. cxiv. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Blackpool, Bristol, Eton, Heckmondwike, Kidderminster, Lincoln, Nottingham, Plymouth, South Molton, Wallasey, and Ware; and for other purposes relative to certain districts under the said Act.

P. cxv. An Act to confirm Provisional Orders under "The General Police and Improvement (Scotland) Act, 1862," relating to the Burghs of Dunfermline and Perth.

P. cxvi. An Act for confirming a Scheme of the Charity Commissioners for the Jewish United Synagogues.

P. cxvii. An Act for confirming a Scheme of the Charity Commissioners for certain charities in the parishes of Saint Olave and Saint John in the borough of Southwark.

cxviii. An Act for conferring on the London and North-western Railway Company additional powers, and making further provision with respect to steam communication between Holyhead and Ireland; and for other purposes.

cxix. An Act for supplying Littlehampton and certain adjacent parishes in the county of Sussex with Water.

cxx. An Act for the better management of the Town Moor of the borough of Newcastle-upon-Tyne, and for the further improvement and better government of the borough; and for other purposes.

cxxi. An Act to enable the Gaslight and Coke Company to purchase the undertaking of the Victoria Docks Gas Company; and for other purposes.

cxxii. An Act for authorising an Extension of the existing railway of the Midland Counties and South Wales Railway Company to the Buckinghamshire Railway, and for reviving the powers and extending the time for purchase of lands and construction of works authorised by a former Act of the Company; and for suspending legal proceedings against the Company; and for altering the financial arrangements of the Company; and for other purposes.

cxxiii. An Act for extending the limits within which the Newcastle and Gateshead Water Company may supply water, and for empowering them to construct additional works, and to raise additional capital; and for other purposes.

cxxiv. An Act to authorise the construction of a Subway under the Thames between Southwark and the City of London.

cxxv. An Act to extend the time for the completion of the Wandsworth Bridge and Approaches; and for other purposes.

cxxvi. An Act to confer additional powers on the Dublin, Wicklow, and Wexford Railway Company for the construction of works and other matters relating to their undertaking; and to enable the Company and the London and North-western Railway Company to make traffic arrangements; and other purposes.

cxxvii. An Act to enable the Pembroke and Tenby Railway Company to extend their railway to Pembroke Dockyard, and to make arrangements with the Admiralty; and for other purposes.

cxxviii. An Act to authorise the Company of Proprietors of the Birmingham Waterworks to extend their limits of supply, to construct further works; and for other purposes.

cxxix. An Act for amending and extending the provisions of the Acts relating to the borough of Salford; for authorising certain street improvements; and for other purposes.

cxxx. An Act to authorise the Bristol and North Somerset Railway Company to deviate from the authorised line of their Railway at Radstock; and for other purposes.

cxxxi. An Act for making better provision for the supply of Water to a district consisting of the boroughs of Ashton-under-Lyne and Stalybridge, and the district of the Dukinfield Local Board of Health, and their respective neighbourhoods; and for other purposes.

P. **cxxxii.** An Act to confirm a Provisional Order under the "Public Health (Scotland) Act, 1867," relating to the Burgh of Fraserburgh.

cxxxiii. An Act for enabling the Local Board of Health in and for the District of the Borough of Reading to execute certain works for the Improvement of the Water Supply and Sewerage of the Borough, and the Drainage of Lands in and adjoining thereto; and for other purposes.

cxxxiv. An Act to extend the time for the compulsory purchase of Lands, and completion of the Waterworks authorised by the Act relating to the Rotherham and Kimberworth Local Board of Health; and to authorise the said board to construct Gasworks, and to purchase the undertaking of the Rotherham Gaslight and Coke Company; and to authorise various agreements with respect to Water and Gas; and for other purposes.

cxxxv. An Act to authorise the North British Railway Company to make railways and a bridge across the Tay near Dundee, to connect their system with the railways of the Caledonian Railway Company east and west of Dundee; and for other purposes.

cxxxvi. An Act to enable the Ryde Pier Company to extend their railway to the station of the Isle of Wight Railway at Ryde; and for other purposes relating thereto.

cxxxvii. An Act for granting further powers to "The Saint Helens Gas Company."

cxxxviii. An Act to incorporate a Company for establishing and holding a Market and Fairs in the town and parish of Thrapston, in the County of Northampton; and for other purposes.

cxxxix. An Act to extend the powers of the Dublin Trunk Connecting Railway Company for the taking of Lands and completion of their undertaking, to change the name of the Company; and for other purposes.

cxl. An Act for conferring further powers on the Great Western Railway Company in relation to their own undertaking and the undertakings of other Companies; and for other purposes.

cxli. An Act to extend the time for the purchase of lands and for the construction of the Halifax and Ovenden Junction Railway, and to vest the said railway in the Lancashire and Yorkshire and the Great Northern Railway Companies.

cxlii. An Act to amend the Exmouth Docks Act, 1864.

cxliii. An Act to extend and define the Limits of the Borough of Enniskillen; to enable the Commissioners for that Borough to construct Waterworks, and supply Water; and for other purposes.

cxliv. An Act for empowering the Corporation of Oldham to construct additional Waterworks and for extending their limits of supply of Water and Gas, and for amending The Oldham Borough Improvement Act, 1865; and for other purposes.

cxlv. An Act to authorise the Construction of Railways in the City of Worcester; and for other purposes.

cxlvi. An Act to enable the Bury Saint Edmunds and Thetford Railway Company to make a Deviation in their authorised Railway; and for other purposes.

cxlvii. An Act for empowering the South-eastern Railway Company to abandon certain authorised Lines, and for extending the time for purchase of Lands and Completion of Works of certain other Lines, and for making better provision respecting Hotels, and for amending the Company's Acts; and for other purposes.

cxlviii. An Act to extend the time for purchase of Lands, and for the completion of the Harborne Railway.

cxlix. An Act for extending and amending the Acts relating to the Navigation and Conservancy of the Thames; and for other purposes.

cl. An Act to extend the time and continue the powers granted to the Halesowen and Bromsgrove Branch Railways Company for the compulsory purchase of Lands, and for the completion of Railways in the County of Worcester, and to authorise that Company to abandon a certain Railway in the same county; and for other purposes.

cli. An Act for extending the time for the completion of the authorised works of the Burnham Tidal Harbour Company.

clii. An Act for extending the time for the completion of the Teign Valley Railway, and for conferring additional powers upon the Teign Valley Railway Company; and for other purposes; and of which the short title is "Teign Valley Railway Act, 1870."

cliii. An Act for making a Railway extending from the authorised Newport Railway to Long Craig, in the County of Fife; for abandoning the Newport Deviation Railway; and for other purposes.

cliv. An Act to authorise the London, Brighton, and South Coast Railway Company to abandon the Worthing Junction and to make a short Railway for improving the communication with Eastbourne, and to acquire additional Lands, and to sanction Agreements between them and the South-eastern Railway Company; and for other purposes.

clv. An Act for making better provision for the Cure of Souls within the limits of the Parish of Leverington, and of certain adjacent Parishes, all in the County of Cambridge and the Diocese of Ely.

P. clvi. An Act to confirm a Provisional Order under "The Sewage Utilization Acts," relating to the district of East Barnet.

P. clvii. An Act to confirm a Provisional Order under "The Drainage of Lands (Ireland) Act, 1863," and the Acts amending the same.

P. clviii. An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Falmouth, Irvine, Kinsale, Mousehole, St. Leonards-on-Sea, and Ventnor.

P. clix. An Act for confirming a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Burntisland.

clx. An Act to enable the Corporation of Blackburn to construct Works for Sewage Utilization; to acquire Lands for that purpose; to provide a Cattle Market; to improve

the Borough; and to raise further Moneys; and to confer upon the Corporation additional Powers; and for other purposes.

clxi. An Act to give further time for the completion of the Works authorised by "The Alexandra (Newport) Dock Act, 1865," and for the compulsory purchase of Lands for the Railways by that Act authorised; and for other purposes.

clxii. An Act for facilitating the Sale and Transfer of the Property or Undertaking of the Dagenham (Thames) Dock Company, in liquidation; and for other purposes.

clxiii. An Act for extending the Powers of the Newry and Greenore Railway Company.

clxiv. An Act for extending the time for the completion of the Poole and Bournemouth Railway, and of which the short title is "Poole and Bournemouth Railway Act, 1870."

P. **clxv.** An Act to confirm a Provisional Order under "The Local Government Act, 1858," relating to the district of Merthyr Tydfil.

clxvi. An Act for dissolving the Ellesmere and Glyn Valley Railway Company and reincorporating the same as "The Glyn Valley Tramway Company," with power to construct Tramways; and for other purposes.

clxvii. An Act to authorise the Pimlico, Peckham, and Greenwich Street Tramways Company to construct additional passing places and to convert certain of their authorised Tramways into double lines of Tramway; and for other purposes.

clxviii. An Act to authorise the Construction of Tramways from Birmingham in the county of Warwick to Handsworth, West Bromwich, and Tipton in the county of Stafford; and for other purposes.

clxix. An Act to authorise the Construction of Tramways in the towns of Plymouth, Stonehouse, and Devonport, in the county of Devon; and for other purposes.

clxx. An Act to authorise the Construction of Street Tramways in the Borough of Portsmouth; and for other purposes.

clxxi. An Act to authorise the Construction of Street Tramways in certain parts of the Metropolis; and for other purposes.

clxxii. An Act to empower the North Metropolitan Tramways Company to construct new Street Tramways; and for other purposes.

clxxiii. An Act to authorise the Metropolitan Street Tramways Company to extend their Tramways; and for other purposes.

clxxiv. An Act to authorise the Pimlico, Peckham, and Greenwich Street Tramways Company to extend their authorised Tramways; and for other purposes.

clxxv. An Act to authorise the Construction of Street Tramways in certain parts of the city of Glasgow and its suburbs; and for other purposes.

clxxvi. An Act for enabling the Liverpool Tramways Company to make new Street Tramways in Toxteth Park, in extension of their authorised undertaking; and for other purposes.

clxxvii. An Act to authorise the Construction of Street Tramways in certain parts of the Suburbs of Birmingham; and for other purposes.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to enlarge the Powers of an Act enabling the Rector of the Parish of Saint Luke, Chelsea, in Middlesex, to grant Building and Repairing Leases.

2. An Act for the Extension of the Owens College, Manchester; and for other purposes.

3. An Act for enabling the trustees of the will of the late Right Honorable James Mann Earl Cornwallis, deceased, to improve and develop his estate at Hastings; and for other purposes.

4. An Act to amend "An Act to authorise the borrowing of "money on the security of the entailed estate of Downie "Park, in the county of Forfar, or the sale of a portion of "the estate, for the purpose of paying the debts and legacies "affecting the same;" and to make further provision for the sale of the estate.

TABLES

SHOWING

THE EFFECT OF THE YEAR'S LEGISLATION.

TABLE A.—Acts of 33 & 34 Vict. (in order of Chapter) showing their effect on former Acts.

TABLE B.—Acts of former Sessions (in chronological order) Repealed and Amended by Acts of 33 & 34 Vict.

(A.)

Acts of 33 & 34 Vict. (in order of Chapter) showing their effect on former Acts.

CH.

1. PROVISIONAL ORDERS BILLS (COMMITTEES):
   Applies 21 & 22 Vict. c. 78., Administration of Oaths.
   „ 28 & 29 Vict. c. 27., Award of Costs.
2. DISSOLVED BOARDS OF MANAGEMENT AND GUARDIANS:
   Applies 4 & 5 Will. 4. c. 76. and 30 & 31 Vict. c. 106., Poor Relief.
   „ 32 & 33 Vict. c. 63., Metropolitan Poor.
3. EAST INDIA (LAWS AND REGULATIONS):
   Repeals section 49 of 3 & 4 Will. 4. c. 85., Government of India.
4. INCOME TAX ASSESSMENT AND INLAND REVENUE LAW AMENDMENT:
   Applies existing Acts relating to Income Tax.
   „ 32 & 33 Vict. c. 67., Valuation (Metropolis).
5. CONSOLIDATED FUND.
6. JUDGES JURISDICTION.
7. MUTINY:
   Applies 26 & 27 Vict. c. 57., Regimental Debts.
   Repeals sections 9, 10, of 30 & 31 Vict. c. 34., Army Enlistment.
8. MARINE MUTINY.
9. PEACE PRESERVATION (IRELAND):
   Amends, and repeals in part, 19 & 20 Vict. c. 36., Peace Preservation (Ireland).
   Repeals section 14 of 11 & 12 Vict. c. 2., Crime and Outrage (Ireland).
   Applies 15 & 16 Geo. 3. c. 21. (Irish Parl.) } Tumultuous Risings (Ireland).
   „ 1 & 2 Will. 4. c. 44. - - }
   „ 60 Geo. 3. & 1 Will. 4. c. 1., Illegal Military Training.
   „ 14 & 15 Vict. c. 90., Fines (Ireland).
   „ 14 & 15 Vict. c. 92., Summary Jurisdiction (Ireland).
   „ 14 & 15 Vict. c. 93., Petty Sessions (Ireland).
   „ 6 & 7 Will. 4. c. 116., Grand Jury Presentments (Ireland).
   „ 31 & 32 Vict. c. 75., Juries (Ireland).

Table A.—Acts of 33 & 34 Vict. (in order of Chapter), &c.—*continued.*

Ch.

10. Coinage:
    Applies 11 & 12 Vict. c. 43., 27 & 28 Vict. c. 53., } Summary Procedure.
    „ 14 & 15 Vict. c. 93., Petty Sessions (Ireland).
    Repeals Acts in Schedule. [*These Acts will be found in their Chronological Order in Table B.*]

11. Dublin Collector-General of Rates Franchise:
    Recites 31 & 32 Vict. c. 73., Revenue Officers' Disabilities Removal.
    Repeals section 24 of 12 & 13 Vict. c. 91., Collector of Rates (Dublin).

12. Customs (Isle of Man):
    Repeals in part 18 & 19 Vict. c. 97., Duties on Corn.

13. Survey of Great Britain, &c.:
    Applies 6 Geo. 4. c. 99., 17 & 18 Vict. c. 17., } Survey (Ireland).
    „ 4 & 5 Vict. c. 30., Survey (Great Britain).
    Repeals 45 Geo. 3. c. 109., Survey (Ireland).
    „ 19 & 20 Vict. c. 61., Survey (Great Britain).

14. Naturalization:
    Applies 31 & 32 Vict. c. 37., Documentary Evidence.
    Repeals, with a proviso, Acts in Schedule. [*These Acts will be found in their Chronological Order in Table B.*]

15. County Courts Buildings:
    Applies 8 & 9 Vict. c. 18., Lands Clauses.
    Repeals sections 48, 50–55, of 9 & 10 Vict. c. 95., sections 8, 9, of 29 & 30 Vict. c. 14., section 18 of 30 & 31 Vict. c. 142., } County Courts.

16. Inverness County, &c. (Boundary):
    Amends 26 & 27 Vict. c. ccxiv., Elgin and Nairn Roads.
    „ 25 & 26 Vict. c. 105., Highland Roads and Bridges.
    „ 23 & 24 Vict. c. 79., Sheriff Courthouses (Scotland).
    Applies 20 & 21 Vict. c. 72., Police Assessments (Scotland).
    „ 7 Will. 4. & 1 Vict. c. 41., Small Debts (Scotland).
    „ 16 & 17 Vict. c. 80., 30 & 31 Vict. c. 96., } Sheriff Courts (Scotland).
    „ 27 & 28 Vict. c. 53., Summary Proceedings (Scotland).

17. War Office:
    Amends 18 & 19 Vict. c. 117., Ordnance Board.
    „ 26 & 27 Vict. c. 12., Secretary of State for War.

18. Metropolitan Poor:
    Amends 30 & 31 Vict. c. 6., Metropolitan Poor.

19. Railways (Powers and Construction):
    Amends and repeals in part 27 & 28 Vict. c. 120., Railways (Powers).
    „ „ „ 27 & 28 Vict. c. 121., Railways (Construction).
    Applies 33 & 34 Vict. c. 1., Provisional Orders Bills.
    „ sections 4, 6–8, of 9 & 10 Vict. c. 57., Gauge of Railways.

20. Mortgage Debenture Act, 1865, Amendment:
    Amends and repeals in part 28 & 29 Vict. c. 78., Mortgage Debentures.

21. Beverley and Bridgewater Disfranchisement.

Table A.—Acts of 33 & 34 Vict. (in order of Chapter), &c.—*continued.*

CH.

22. TURNPIKE TRUSTS ARRANGEMENTS:
Confirms Provisional Order made under 14 & 15 Vict. c. 38.

23. FELONY:
Repeals in part 30 Geo. 3. c. 48. and 54 Geo. 3. c. 146., as to drawing and quartering, &c. in cases of High Treason.

24. METROPOLITAN BOARD OF WORKS (LOAN):
Amends 32 & 33 Vict. c. 102., Metropolitan Board of Works.

25. NORWICH VOTERS DISFRANCHISEMENT.

26. SALE OF POISONS (IRELAND):
Applies 14 & 15 Vict. c. 90., Fines (Ireland).
„ 14 & 15 Vict. c. 93., Petty Sessions (Ireland).
Extends 23 & 24 Vict. c. 84., Adulteration of Articles of Food, &c.
Saves 14 & 15 Vict. c. 13., Sale of Arsenic.

27. PROTECTION OF INVENTIONS:
Rights under The Patent Law Amendment Act, 1852, and under The Designs Act, 1850, protected.

28. ATTORNEYS AND SOLICITORS REMUNERATION:
Amends 6 & 7 Vict. c. 73., Attorneys Costs.

29. WINE AND BEERHOUSE ACT (1869) AMENDMENT:
Amends and continues 32 & 33 Vict. c. 27.
Applies 9 Geo. 4. c. 61., as to Justices Licenses.
Amends 26 & 27 Vict. c. 33., Beer Retailers Licenses.
Extends 18 & 19 Vict. c. 118., as to Entry by Constables.
Repeals section 6 of 5 Geo. 4. c. 54., section 2 of 6 Geo. 4. c. 81., and section 6 of 13 & 14 Vict. c. 67., so far as relates to Brewers Retail Licenses.

30. WAGES ATTACHMENT ABOLITION.

31. CONSOLIDATED FUND (9,000,000*l.*)

32. CUSTOMS AND INLAND REVENUES:
Repeals certain duties, and grants others, as specified.
Removes doubts as to duty on Husbandry Horses (32 & 33 Vict. c. 14).
Repeals stamp duties on Newspapers, and reduces stamp duty under 28 & 29 Vict. c. 96. s. 10. on certain Policies of Insurance.
Amends section 43 of 25 & 26 Vict. c. 22., and repeals sections 6 and 7 of 32 & 33 Vict. c. 14., as to Income Tax.

33. SALMON ACTS AMENDMENT:
Amends section 3 of 26 & 27 Vict. c. 10., Salmon Acts Amendment.
„ section 65 of 28 & 29 Vict. c. 121., Salmon Fishery.

34. CHARITABLE FUNDS INVESTMENT:
Amends 9 Geo. 2. c. 36., Mortmain Act.

35. APPORTIONMENT OF RENTS, &c.

36. CATTLE DISEASE (IRELAND) ACT, 1866, AMENDMENT:
Amends 29 & 30 Vict. c. 4.

37. MAGISTRATES IN POPULOUS PLACES (SCOTLAND):
Amends 25 & 26 Vict. c. 101., Police of Towns (Scotland).

38. SLIGO AND CASHEL DISFRANCHISEMENT.

39. ECCLESIASTICAL PATRONAGE TRANSFER:
Explains Ecclesiastical Commissioners Acts, 3 & 4 Vict. c. 113. s. 73., 4 & 5 Vict. c. 39. s. 22., and 31 & 32 Vict. c. 114. s. 12.

Table A.—Acts of 33 & 34 Vict. (in order of Chapter), &c.—*continued.*

CH.

40. NEW ZEALAND (ROADS, &c.) LOAN.

41. EXCHEQUER BONDS.

42. PETTY CUSTOMS (SCOTLAND) ABOLITION.

43. CUSTOMS REFINED SUGAR DUTIES (ISLE OF MAN):
Repeals in part 29 & 30 Vict. c. 23., Customs (Isle of Man).

44. STAMP DUTY ON LEASES:
Construction of section 16 of 17 & 18 Vict. c. 83. as to additional duty on certain Leases.

45. LIVERPOOL ADMIRALTY DISTRICT REGISTRAR.

46. LANDLORD AND TENANT (IRELAND).

47. DIVIDENDS AND STOCK:
Amends, and extends to Ireland, 32 & 33 Vict. c. 104. [*Both Acts repealed by* 33 & 34 Vict. c. 69. (*Statute Law Revision*),—*and other Provisions made by* 33 & 34 Vict. c. 71., *National Debt.*]

48. PAUPERS CONVEYANCE (EXPENSES):
Applies 4 & 5 Will. 4. c. 76., Poor Relief.

49. EVIDENCE AMENDMENT:
Amends and explains 32 & 33 Vict. c. 68.

50. SHIPPING DUES EXEMPTION ACT (1867) AMENDMENT:
Amends 30 & 31 Vict. c. 15., as to Agreements for Compensation.
Repeals 32 & 33 Vict. c. 52., Shipping Dues Exemption Act, 1869.

51. NOTICE ACT (ISLE OF MAN) REPEAL:
Repeals (so far as respects the Isle of Man) 7 W. 4. & 1 Vict. c. 45.

52. EXTRADITION:
Repeals 6 & 7 Vict. cc. 75, 76., and 8 & 9 Vict. c. 120., Apprehension of Offenders (France and United States).
„ 25 & 26 Vict. c. 70., Mutual Surrender of Criminals (Denmark).
„ 29 & 30 Vict. c. 121., Extradition Treaties.
Applies 19 & 20 Vict. c. 113., as to Foreign State obtaining Evidence in United Kingdom.

53. SANITARY ACT (1866) AMENDMENT:
Amends 29 & 30 Vict. c. 90., Sanitary Act, 1866.
„ 30 & 31 Vict. c. 113., Sewage Utilization.
Extends 58 Geo. 3. c. 69., Parish Vestries.

54. DUBLIN CITY VOTERS DISFRANCHISEMENT:
Recites 32 & 33 Vict. c. 65., Dublin Freemen's Commission.

55. SIAM AND STRAITS SETTLEMENT JURISDICTION:
Explains 20 & 21 Vict. c. 75., Jurisdiction in Siam.

56. LIMITED OWNERS RESIDENCES:
Applies 27 & 28 Vict. c. 114., Improvement of Land.

57. GUN LICENSES:
License void if the holder be convicted of any offence under 9 Will. 4. c. 32. s. 30. or 2 & 3 Will. 4. c. 68.

58. FORGERY:
Amends 24 & 25 Vict. c. 98. (Forgery Consolidation), and extends to Scotland.

Table A.—Acts of 33 & 34 Vict. (in order of Chapter), &c.—*continued.*

CH.

59. EAST INDIA CONTRACTS:
Amends 22 & 23 Vict. c. 41. (Government of India) as to execution of certain Contracts.

60. LONDON BROKERS RELIEF:
Amends 6 Anne c. 68. and 57 Geo. 3. c. lx. as to Brokers of the City of London.

61. LIFE ASSURANCE COMPANIES:
Applies and amends Companies Acts, 1845 and 1862 (8 & 9 Vict. c. 16. and 25 & 26 Vict. c. 89.)

62. FACTORIES AND WORKSHOPS:
Repeals 8 & 9 Vict. c. 29., 10 & 11 Vict. c. 70., } Printworks.
„ 23 & 24 Vict. c. 78., 25 & 26 Vict. c. 8., 26 & 27 Vict. c. 38., 27 & 28 Vict. c. 98., } Bleaching and Dyeing Works.
Repeals in part and amends 30 & 31 Vict. c. 103., Factory Acts Extension.
Amends 30 and 31 Vict. c. 146., Workshops.

63. WAGES ARRESTMENT LIMITATION (SCOTLAND):
Amends 7 Will. 4. & 1 Vict. c. 41., Small Debts (Scotland).

64. PETTY SESSIONS CLERK (IRELAND) ACT (1858) AMENDMENT:
Amends 21 & 22 Vict. c. 100., Petty Sessions Clerk (Ireland).

65. LARCENY (ADVERTISEMENTS):
Amends section 102 of 24 & 25 Vict. c. 96., Larceny Consolidation.

66. BRITISH COLUMBIA GOVERNMENT:
Amends 21 & 22 Vict. c. 99. and 29 & 30 Vict. c. 67., British Columbia Government.

67. ARMY ENLISTMENT:
Amends and extends 30 & 31 Vict. c. 110., Reserve Force.
„ „ 30 & 31 Vict. c. 111., Militia Reserve.
Applies 10 & 11 Vict. c. 37., Army Service Limitation.
„ 30 & 31 Vict. c. 34., Army Enlistment.

68. MILITIA ACTS AMENDMENT:
Amends former Acts so far as relates to the drawing out, embodiment, &c., of the Militia in cases of emergency.

69. STATUTE LAW REVISION:
Repeals, with a proviso, the Enactments relating to the National Debt and to Forgery, as described in the Schedules. [*These Acts will be found in their Chronological Order in Table B.*]

70. GAS AND WATER FACILITIES:
Applies Lands Clauses Acts, 1845 and 1860.
„ Gasworks Clauses Act, 1847.
„ Waterworks Clauses Acts, 1847 and 1863.
„ 7 Will. 4. and 1 Vict. c. 83., Custody of Documents by Clerks of the Peace.

71. NATIONAL DEBT:
Consolidates, with amendments, certain enactments relating to the National Debt. [*Former Enactments repealed by* Cap. 69.]

Table A.—Acts of 33 & 34 Vict. (in order of Chapter), &c.—*continued.*

Ch.

72. Pedlars Certificates:
Applies 11 & 12 Vict. c. 43., 27 & 28 Vict. c. 53., } Summary Procedure.
„ 14 & 15 Vict. c. 93., Petty Sessions (Ireland).

73. Annual Turnpike Acts Continuance:
Repeals and continues Acts as in Schedule.
Amends 31 & 32 Vict. c. 99.

74. Curragh of Kildare:
Award under 31 & 32 Vict. c. 60. confirmed.

75. Elementary Education:
Applies the following Acts in whole or in part:—Lands Clauses, 1845; Commissioners Clauses, 1847; School Sites, 1841 to 1851; Charitable Trusts, 1853 to 1869; Documentary Evidence, 1868; Endowed Schools, 1869; Industrial Schools, 1866; Local Management, 1855 and 1862; Metropolitan Board of Works (Loan), 1869; Summary Procedure, 1843; Sturges Bourne's Act (58 Geo. 3. c. 69.)

76. Absconding Debtors:
Extends provisions of Bankruptcy Act, 1869 (32 & 33 Vict. c. 71.)

77. Juries:
Amends the County Juries Act, 1825 (6 Geo. 4. c. 50.)

78. Tramways:
Applies Lands Clauses Act, 1845.
„ Commissioners Clauses Act, 1847.
„ Metropolis Board of Works (Loans), 1869.
„ 7 Will. 4. & 1 Vict. c. 83., Custody of Documents by Clerks of Peace.
„ 11 & 12 Vict. c. 43., Summary Procedure.

79. Post Office:
Repeals in part 6 & 7 Will. 4. c. 76., Stamp Duties on Newspapers, &c.
„ „ 3 & 4 Vict. c. 96., Postage Duties on Newspapers, &c.
„ „ 16 & 17 Vict. c. 63., 18 & 19 Vict. c. 27., } Stamp Duties on Newspapers, &c.
„ 11 & 12 Vict. c. 117., Newspapers (Channel Islands).
Applies 7 Will. 4. & 1 Vict. c. 36., Offences against the Post Office.
„ 31 & 32 Vict. c. 37., Documentary Evidence.

80. Census (Ireland):
Applies Petty Sessions (Ireland) Acts, 1851 and 1858.

81. Meeting of Parliament:
Amends 37 Geo. 3. c. 127., 39 & 40 Geo. 3. c. 14., } Meeting of Parliament.

82. Canada Defences Loan.

83. Constabulary Force (Ireland):
Amends 28 & 29 Vict. c. 70., 29 & 30 Vict. c. 103., } Constabulary (Ireland).

84. Public Schools:
Amends 31 & 32 Vict. c. 118., Public Schools.

Table A.—Acts of 33 & 34 Vict. (in order of Chapter), &c.—*continued.*

CH.

85. NORFOLK BOUNDARY:
Applies 15 & 16 Vict. c. 81., County Rates Assessment, &c.

86. SHERIFFS (SCOTLAND) ACT (1853) AMENDMENT:
Amends and extends 16 & 17 Vict. c. 92., } Sheriffs, Scotland.
Repeals in part 1 & 2 Vict. c. 119., }

87. ANNUITY TAX ABOLITION (EDINBURGH AND MONTROSE) ACT (1860) AMENDMENT:
Amends and repeals in part 23 & 24 Vict. c. 50., } Annuity Tax, &c.
" " 30 & 31 Vict. c. 107., }
Amends 1 & 2 Vict. c. 55., Leith Dock Commissioners.
Applies Commissioners Clauses Act, 1847.

88. TELEGRAPH ACTS EXTENSION:
Amends and extends 31 & 32 Vict. c. 110., } Telegraphs.
" " 32 & 33 Vict. c. 73., }

89. QUEEN ANNE'S BOUNTY.

90. FOREIGN ENLISTMENT:
Repeals (with savings) 59 Geo. 3. c. 69., Foreign Enlistment.

91. CLERICAL DISABILITIES:
Amends 41 Geo. 3. c. 63., Seats in House of Commons by Persons in Holy Orders.
" section 28 of 5 & 6 Will. 4. c. 76., Municipal Corporations.
" 3 & 4 Vict. c. 86., Church Discipline.

92. MUNICIPAL ELECTIONS (SCOTLAND).
Amends 3 & 4 Will. 4. cc. 76., 77., } Municipal Elections and Registration (Scotland).
" 19 & 20 Vict. c. 58., }
" 31 & 32 Vict. c. 48., }
" 31 & 32 Vict. c. 108., }

93. MARRIED WOMEN'S PROPERTY:
Amends 10 Geo. 4. c. 24. as to Deposits in Savings Bank by a Married Woman.

94. MEDICAL OFFICERS SUPERANNUATION:
Applies 27 & 28 Vict. c. 42., Superannuation to Officers of Unions.

95. PASSENGERS ACT AMENDMENT:
Amends section 29 of 18 & 19 Vict. c. 119.

96. CONSOLIDATED FUND (APPROPRIATION).

97. STAMP DUTIES:
Grants Duties (in lieu of former Duties), as in Schedule.
Restricts the Exemption from Stamp Duty conferred by 6 & 7 Will. 4. c. 32. in favour of Building Societies.
Applies and amends 30 & 31 Vict. c. 23. as to Sea Insurance Policies.

98. STAMP DUTIES MANAGEMENT.

99. INLAND REVENUE [STAMPS] ACTS REPEAL:
Repeals (with a proviso) enactments as in Schedule.

Table A.—Acts of 33 & 34 Vict. (in order of Chapter), &c.—*continued.*

Ch.

100. Greenwich Hospital:
Repeals section 51 of Greenwich Hospital Act, 1865, 28 & 29 Vict. c. 89.

101. Pensions Commutation Act (1869) Amendment:
Amends section 6 of 32 & 33 Vict. c. 32.

102. Naturalization:
Amends 33 & 34 Vict. c. 14. as to the taking of Oaths of Allegiance.

103. Expiring Laws Continuance:
Continues the following Acts (and Acts amending the same), as in Schedule:—
5 & 6 Will. 4. c. 27., Linen, &c. Manufactures (Ireland).
2 & 3 Vict. c. 74., Societies, unlawful (Ireland).
3 & 4 Vict. c. 89., Poor Rates (Stock in Trade).
4 & 5 Vict. c. 30., Survey of Great Britain.
4 & 5 Vict. c. 59., Application of Highway Rates.
5 & 6 Vict. c. 123., Lunatic Asylums (Ireland).
10 & 11 Vict. c. 32., Landed Property Improvement (Ireland).
10 & 11 Vict. c. 90., Poor Laws (Ireland).
10 & 11 Vict. c. 98., Ecclesiastical Jurisdiction.
11 & 12 Vict. c. 32., County Cess (Ireland).
11 & 12 Vict. c. 107., Sheep and Cattle Diseases.
14 & 15 Vict. c. 104., Episcopal, &c. Estates.
17 & 18 Vict. c. 102., Corrupt Practices Prevention.
17 & 18 Vict. c. 117., Incumbered Estates (West Indies).
19 & 20 Vict. c. 36., Preservation of the Peace (Ireland).
23 & 24 Vict. c. 19., Dwellings for Labouring Classes (Ireland).
24 & 25 Vict. c. 109., Salmon Fishery (England).
25 & 26 Vict. c. 97., Salmon Fisheries (Scotland).
26 & 27 Vict. c. 105., Promissory Notes.
27 & 28 Vict. c. 20., Promissory Notes, &c. (Ireland).
27 & 28 Vict. c. 9., Malt for Animals.
27 & 28 Vict. c. 92., Public Schools.
28 & 29 Vict. c. 46., Militia Ballots Suspension.
28 & 29 Vict. c. 66., Malt Duty.
28 & 29 Vict. c. 83., Locomotives on Roads.
28 & 29 Vict. c. 121., Salmon Fishery.
29 & 30 Vict. c. 52., Prosecution Expenses.
30 & 31 Vict. c. 126., Railway Companies (Scotland).
30 & 31 Vict. c. 127., Railway Companies.
30 & 31 Vict. c. 141., Master and Servant.
31 & 32 Vict. c. 32., Endowed Schools.
31 & 32 Vict. c. 76., Militia Pay.
32 & 33 Vict. c. 61., Trades Unions Funds.

104. Joint Stock Companies Arrangement:
Amends 25 & 26 Vict. c. 89.

105. Truck Commission:
Appoints Commissioners to inquire into offences against the Truck Act, 1 & 2 W. 4. c. 37.

106. Sanitary Act (Dublin) Amendment:
Amends 29 & 30 Vict. c. 90., so far as relates to Dublin.

107. Census.

108. Census (Scotland).

109. Common Law Procedure Amendment (Ireland):
Amends 16 & 17 Vict. c. 113. as to Abolition of certain Real Actions, &c.

Table A.—Acts of 33 & 34 Vict. (in order of Chapter), &c.—*continued.*

CH.

110. MATRIMONIAL CAUSES AND MARRIAGE LAW (IRELAND) AMENDMENT:
Explains section 45 of Irish Church Act, 32 & 33 Vict. c. 42.
Applies sections 105–107 of 20 & 21 Vict. c. 79., Probates, &c.
Amends and applies 7 & 8 Vict. c. 81. and 26 & 27 Vict. c. 27.
Repeals so much of 19 Geo. 2. c. 13. (I.) as respects marriage between a Protestant and a Roman Catholic when celebrated by a Roman Catholic Priest.

111. BEERHOUSES:
Explains, &c. 3 & 4 Vict. c. 61., as to Licences for certain Beerhouses.

112. GLEBE LOANS (IRELAND):
Amends and in part repeals 1 & 2 Will. 4. c. 33. as to Loans from Commissioners of Public Works.
Applies 10 & 11 Vict. c. 32., Landed Property (Ireland).
„ 12 & 13 Vict. c. 23., Land Improvement, &c. (Ireland).
„ 13 & 14 Vict. c. 31., Drainage, &c. (Ireland).
„ 29 & 30 Vict. c. 40., Public Works Loan (Ireland).

(B.)

Acts of former Sessions (in Chronological Order) Repealed and Amended by Acts of 33 & 34 Vict.

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
2 Hen. 6. c. 17. in part (1) -	Master of the Mint -	Repealed	10
7 Jas. 1. c. 2. - - -	Naturalization - -	Repealed	14
14 & 15 Chas. 2. c. 13. (Irish Parl.)	Encouragement of Protestant Strangers, &c. in Ireland.	Repealed	14
18 & 19 Chas. 2. c. 5. (2) -	Coinage - - -	Repealed	10
5 & 6 W. & M. c. 21. - -	Stamp Duties - -	Repealed	99
6 & 7 W. & M. c. 6. - -			
,, ,, c. 12. - -			
7 & 8 Will. 3. c. 35. - -			
9 Will. 3. c. 3. - - -	National Debt, &c. -	Repealed	69
,, c. 25. - -	Stamp Duties - -	Repealed	99
11 Will. 3. c. 6. (3) - -	Aliens - - -	Repealed	14
1 Ann. st. 2. c. 19. - -	Stamp Duties, &c. -	Repealed	99
2 Ann. c. 14. (Irish Parl.) -	Naturalization (Ireland) -	Repealed	14
6 Ann. c. 57. (4) - - -	Coin and Coinage, &c. -	Repealed	10
,, c. 68. - - -	London Brokers - -	Amended	60
8 Ann. c. 5. - - - -	Stamp Duties - -	Repealed	99
9 Ann. c. 15. - - -			
,, c. 16. - - -			
10 Ann. c. 18. (except s. 198.) -			
,, c. 19. - - -			
13 Ann. c. 18. - - -			
1 Geo. 1. Stat. 1. c. 2. - -	National Debt, &c. -	Repealed	69
,, Stat. 2. c. 12. - -			
,, c. 19. - -			
,, c. 21. - - -			
3 Geo. 1. c. 7. - -			
,, c. 8. in part - -			
,, c. 9. - -			
4 Geo. 1. c. 9. in part (Irish Parl.)	Naturalization (Ireland) -	Repealed	14

(1) c. 14. in Ruffhead.
(2) 18 Chas. 2. in Ruffhead.
(3) 11 & 12 Will. 3. in Ruffhead.
(4) c. 30. in Ruffhead.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
4 Geo. 1. c. 10.	National Debt, &c.	Repealed	69
5 Geo. 1. c. 3.			
„ c. 9.			
„ c. 19.			
6 Geo. 1. c. 4.			
„ c. 10.			
„ c. 11. in part			
„ c. 21.	Stamp Duties	Repealed	99
7 Geo. 1. Stat. 1. c. 5.	National Debt, &c.	Repealed	69
„ c. 27. in part			
„ Stat. 2.			
8 Geo. 1. c. 20.			
„ c. 21. in part			
„ c. 22.			
9 Geo. 1. c. 5.			
„ c. 6.			
„ c. 12.			
10 Geo. 1. c. 5.			
11 Geo. 1. c. 9. in part			
„ c. 17.			
12 Geo. 1. c. 2. in part			
13 Geo. 1. c. 3.			
„ c. 21.			
1 Geo. 2. Stat. 2. c. 8. in part			
2 Geo. 2. c. 3. in part			
3 Geo. 2. c. 16.			
4 Geo. 2. c. 5.			
„ c. 9.			
5 Geo. 2. c. 17.			
6 Geo. 2. c. 28.			
9 Geo. 2. c. 34.			
„ c. 36.	Mortmain Act	Amended	34
10 Geo. 2. c. 17.	National Debt, &c.	Repealed	69
11 Geo. 2. c. 27.			
13 Geo. 2. c. 7.	Naturalization	Repealed	14
15 Geo. 2. c. 13. in part	National Debt, &c.	Repealed	69
„ c. 19.			
16 Geo. 2. c. 12.			
„ c. 13.			
17 Geo. 2. c. 18.			
18 Geo. 2. c. 9.			
„ c. 22.	Stamp Duties	Repealed	99
19 Geo. 2. c. 6. in part	National Debt, &c.	Repealed	69
„ c. 12.			
„ c. 13. (I.) in part	Marriage between Protestant and Roman Catholic.	Repealed	110
20 Geo. 2. c. 3.	National Debt, &c.	Repealed	69
„ c. 10.			
„ c. 44.	Naturalization	Repealed	14
„ c. 45.	Stamp Duties	Repealed	99

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
21 Geo. 2. c. 2.	National Debt, &c.	Repealed	69
22 Geo. 2. c. 23.			
23 Geo. 2. c. 1. in part			
„ c. 16.			
„ c. 22. in part			
24 Geo. 2. c. 2.			
„ c. 4. in part			
„ c. 11.			
25 Geo. 2. c. 25.			
„ c. 27.			
26 Geo. 2. c. 1.			
„ c. 23.			
28 Geo. 2. c. 15.			
29 Geo. 2. c. 7.			
30 Geo. 2. c. 19.	Stamp Duties	Repealed	99
„ c. 19. in part			
31 Geo. 2. c. 22. in part	National Debt, &c.	Repealed	69
32 Geo. 2. c. 10.			
„ c. 22.			
33 Geo. 2. c. 7. in part			
„ c. 12.			
1 Geo. 3. c. 7.			
2 Geo. 3. c. 9.			
„ c. 10.			
„ c. 36.	Stamp Duties	Repealed	99
3 Geo. 3. c. 9.	National Debt, &c.	Repealed	69
„ c. 12.			
4 Geo. 3. c. 18.			
„ c. 25.			
5 Geo. 3. c. 16.			
„ c. 23.			
„ c. 35.	Stamp Duties	Repealed	99
„ c. 42.	National Debt, &c.	Repealed	69
„ c. 46.	Stamp Duties, &c.	Repealed	99
6 Geo. 3. c. 21.	National Debt, &c.	Repealed	69
„ c. 39.			
„ c. 40.	Stamp Duties	Repealed	99
7 Geo. 3. c. 24. 25. 26.	National Debt, &c.	Repealed	69
„ c. 44.	Stamp Duties	Repealed	99
8 Geo. 3. c. 25.			
„ c. 29.	National Debt, &c.	Repealed	69
„ c. 31.			
10 Geo. 3. c. 36.			
„ c. 46.			
12 Geo. 3. c. 48.	Stamp Duties	Repealed	99
„ c. 63.	National Debt, &c.	Repealed	69
13 Geo. 3. c. 25.	Naturalization	Repealed	14
„ c. 57.	Legal Tender	Repealed	10
14 Geo. 3. c. 70.	Coin and Coinage	Repealed	10
„ c. 76.	National Debt, &c.	Repealed	69
„ c. 84.	Naturalization	Repealed	14
„ c. 92.	Coin and Coinage	Repealed	10
15 Geo. 3. c. 30.	Coin and Coinage	Repealed	10

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
15 Geo. 3. c. 41.	National Debt, &c.	Repealed	69
16 Geo. 3. c. 34.			
„ c. 34. ss. 1–16.	Stamp Duties	Repealed	99
„ c. 52.	Aliens (Ireland)	Repealed	14
17 Geo. 3. c. 46.	National Debt, &c.	Repealed	69
„ c. 50.	Stamp Duties	Repealed	99
18 Geo. 3. c. 22.	National Debt, &c.	Repealed	69
19 Geo. 3. c. 18.			
19 & 20 Geo. 3. c. 29. (Irish Parl.)	Naturalization (Ireland)	Repealed	14
20 Geo. 3. c. 16.	National Debt, &c.	Repealed	69
21 Geo. 3. c. 14. in part			
22 Geo. 3. c. 8.			
„ c. 34.			
23 Geo. 3. c. 35.			
23 & 24 Geo. 3. c. 38. (Irish Parl.)	Naturalization (Ireland)	Repealed	14
24 Geo. 3. Sess. 2. c. 10.	National Debt, &c.	Repealed	69
„ c. 32.			
„ c. 37.			
„ c. 39.			
25 Geo. 3. c. 32.			
„ c. 71.			
„ c. 80.	Stamp Duties	Repealed	99
„ c. 83.	National Debt, &c.	Repealed	69
26 Geo. 3. c. 34.			
„ c. 48.	Stamp Duties	Repealed	99
„ c. 82.			
27 Geo. 3. c. 13. ss. 41–46.			
29 Geo. 3. c. 37.	National Debt, &c.	Repealed	69
30 Geo. 3. c. 48. in part	Judgment in High Treason: drawing, quartering, &c.	Repealed	23
31 Geo. 3. c. 25.	Stamp Duties	Repealed	99
„ c. 33.	National Debt, &c.	Repealed	69
33 Geo. 3. c. 28.			
„ c. 32.			
„ c. 47. in part			
34 Geo. 3. c. 1.			
„ c. 14.	Stamp Duties	Repealed	99
„ c. 21.	National Debt, &c.	Repealed	69
35 Geo. 3. c. 14.			
„ c. 32.			
„ c. 55.	Stamp Duties	Repealed	99
„ c. 66.	National Debt, &c.	Repealed	69
„ c. 128.			
36 Geo. 3. c. 12.			
„ c. 74.			
„ c. 122.			
„ c. 48. (Irish Parl.)	Naturalization (Ireland)	Repealed	14
37 Geo. 3. c. 9.	National Debt, &c.	Repealed	69
„ c. 10.			
„ c. 19.	Stamp Duties	Repealed	99
„ c. 20.	National Debt	Repealed	69
„ c. 46.			
„ c. 57.			
„ c. 90.	Stamp Duties	Repealed	99

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
37 Geo. 3. c. 122.	Forgery, &c.	Repealed	69
„ c. 127.	Meeting of Parliament	Amended	81
„ c. 136.	Stamp Duties	Repealed	99
38 Geo. 3. c. 37.	National Debt	Repealed	69
„ c. 56.	Stamp Duties	Repealed	99
„ c. 85.			
39 Geo. 3. c. 7.	National Debt, &c.	Repealed	69
„ c. 60.			
„ c. 92.	Stamp Duties	Repealed	99
„ c. 94.	Master of the Mint	Repealed	10
„ c. 107.	Stamp Duties	Repealed	99
39 & 40 Geo. 3. c. 14.	Meeting of Parliament	Amended	81
„ c. 22.	National Debt, &c.	Repealed	69
„ c. 72. (except s. 16.)	Stamp Duties	Repealed	99
„ c. 84.			
41 Geo. 3. (U.K.) c. 3.	National Debt, &c.	Repealed	69
„ „ c. 63.	Seats in H. C. by persons in Holy Orders	Amended	91
42 Geo. 3. c. 8.	National Debt, &c.	Repealed	69
„ c. 33.			
„ c. 58.			
„ c. 99.	Stamp Duties	Repealed	99
43 Geo. 3. c. 67.	National Debt	Repealed	69
„ c. 126.	Stamp Duties	Repealed	99
„ c. 127.			
44 Geo. 3. c. 47.	National Debt, &c.	Repealed	69
„ c. 48.			
„ c. 59. ss. 1, 2.	Stamp Duties	Repealed	99
„ c. 98. (with an exception.)			
„ c. 99.			
45 Geo. 3. c. 8.	National Debt, &c.	Repealed	69
„ c. 12.			
„ c. 40.			
„ c. 73.			
„ c. 109.	Survey (Ireland)	Repealed	13
46 Geo. 3. c. 33.	National Debt, &c.	Repealed	69
„ c. 43. (except ss. 4–7.)	Stamp Duties	Repealed	99
„ c. 47.			
„ c. 55.			
47 Geo. 3. Sess. 1. c. 28.			
„ c. 46.			
48 Geo. 3. c. 3.	National Debt, &c.	Repealed	69
„ c. 38.			
„ c. 76.			
„ c. 83.			
„ c. 149. in part	Stamp Duties	Repealed	99
49 Geo. 3. c. 21.	National Debt, &c.	Repealed	69
„ c. 71.			
„ c. 78.			
50 Geo. 3. c. 23.			
„ c. 35	Stamp Duties	Repealed	99

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
50 Geo. 3. c. 36.	National Debt, &c.	Repealed	69
„ c. 45.			
„ c. 68.			
51 Geo. 3. c. 16.			
„ c. 22.			
„ c. 26.			
„ c. 35.			
„ c. 49.			
52 Geo. 3. c. 14.			
„ c. 24.			
„ c. 70.			
„ c. 85.			
„ c. 138.	Coin: Tokens, &c.	Repealed	10
„ c. 157.			
53 Geo. 3. c. 41.	National Debt, &c.	Repealed	69
„ c. 53.			
„ c. 61.			
„ c. 69.			
„ c. 95.			
„ c. 108.	Stamp Duties	Repealed	99
54 Geo. 3. c. 3.	National Debt, &c.	Repealed	69
„ c. 4.	Coin: Tokens, &c.	Repealed	10
„ c. 8.	National Debt, &c.	Repealed	69
„ c. 76.			
„ c. 85.			
„ c. 89.			
„ c. 139.			
„ c. 140.			
„ c. 144.	Stamp Duties	Repealed	99
„ c. 146. in part	Judgment in High Treason: drawing, quartering, &c.	Repealed	23
55 Geo. 3. c. 2.	National Debt, &c.	Repealed	69
„ c. 16.			
„ c. 58.			
„ c. 74.			
„ c. 100. (except ss. 19, 20).	Stamp Duties	Repealed	99
„ c. 101.			
„ c. 124.	National Debt, &c.	Repealed	69
„ c. 184. in part	Stamp Duties	Repealed	99
„ c. 185. (with an exception).			
56 Geo. 3. c. 7.	National Debt, &c.	Repealed	69
„ c. 56. in part	Stamp Duties	Repealed	99
„ c. 60.	National Debt, &c.	Repealed	69
„ c. 68.	Coin and Coinage	Repealed	10
„ c. 89.	National Debt, &c.	Repealed	69
57 Geo. 3. c. 46.	Coin: Tokens	Repealed	10
„ c. 67.	Offices in the Royal Mint	Repealed	10
„ c. 82.	National Debt, &c.	Repealed	69
„ c. 83.			
„ c. 113.	Coin: Tokens	Repealed	10
„ c. lx.	London Brokers	Amended	60
58 Geo. 3. c. 23.	National Debt, &c.	Repealed	69
59 Geo. 3. c. 42.			
„ c. 69.	Foreign Enlistment	Repealed	90

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
1 Geo. 4. c. 13.	National Debt, &c.	Repealed	69
„ c. 17.			
„ c. 23.			
1 & 2 Geo. 4. c. 26.			
„ c. 27.			
„ c. 55.	Stamp Duties	Repealed	99
„ c. 73.	National Debt, &c.	Repealed	69
„ c. 108.			
3 Geo. 4. c. 9.			
„ c. 17.			
„ c. 26.			
„ c. 61.			
„ c. 66.			
„ c. 68.			
„ c. 89.			
„ c. 93.			
„ c. 117.	Stamp Duties	Repealed	99
4 Geo. 4. c. 22.	National Debt, &c.	Repealed	69
5 Geo. 4. c. 54. s. 6.	Brewers Retail Licences	Repealed	29
„ c. 9.	National Debt, &c.	Repealed	69
„ c. 11.			
„ c. 24.			
„ c. 41.	Stamp Duties	Repealed	99
„ c. 45.	National Debt, &c.	Repealed	69
„ c. 53.			
6 Geo. 4. c. 41.	Stamp Duties	Repealed	99
„ c. 50.	Juries	Amended	77
„ c. 50. s. 47.	Jurors and Juries	Repealed	14
„ c. 67.	Naturalization	Repealed	14
„ c. 79.	Assimilation of the Currency.	Repealed	10
„ c. 81. s. 2.	Brewers Retail Licences	Repealed	29
„ c. 98.	Coin: Tokens	Repealed	10
7 Geo. 4. c. 39.	National Debt, &c.	Repealed	69
7 Geo. 4. c. 44.			
9 Geo. 4. c. 27.	Stamp Duties	Repealed	99
„ c. 49. (with an exception).			
10 Geo. 4. c. 24.	Deposits in Savings' Banks by Married Women	Amended	93
„ c. 31.	National Debt, &c.	Repealed	69
11 Geo. 4. & 1 Will. 4. c. 13.			
1 & 2 Will. 4. c. 10.	Salary of Master of the Mint.	Repealed	10
„ c. 33.	Public Works Loans (Ireland).	Amended	112
2 & 3 Will. 4. c. 91.	Stamp Duties	Repealed	99
3 & 4 Will. 4. c. 23.			
„ c. 76. 77.	Municipal Elections (Scotland).	Amended	92
„ c. 85. s. 49.	Government of India	Repealed	3
„ c. 91. s. 37.	Jurors and Juries	Repealed	14
„ c. 97. (except ss. 20, 21.)	Stamp Duties	Repealed	99
4 & 5 Will. 4. c. 31.	National Debt, &c.	Repealed	69
„ c. 57.	Stamp Duties	Repealed	99
„ c. 80.	National Debt, &c.	Repealed	69

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
5 & 6 Will. 4. c. 64. ss. 1, 2, 7.	Stamp Duties	Repealed	99
„ c. 76. s. 28.	Municipal Corporations	Amended	91
6 & 7 Will. 4. c. 32.	Stamps (Building Societies).	Amended	97
„ c. 76.	Stamp Duties on Newspapers.	Repealed	79, 99
7 Will. 4. & 1 Vict. c. 9.	The Mint	Repealed	10
„ „ „ c. 41.	Small Debts (Scotland)	Amended	63
„ „ „ c. 45. in part.	Notices (Isle of Man)	Repealed	51
„ „ „ c. 59.	National Debt, &c.	Repealed	69
1 & 2 Vict. c. 55.	Leith Docks	Amended	87
„ c. 81.	National Debt, &c.	Repealed	69
„ c. 85.	Stamp Duties	Repealed	99
„ c. 119. in part	Sheriffs (Scotland)	Repealed	86
2 & 3 Vict. c. 97.	National Debt, &c.	Repealed	69
3 & 4 Vict. c. 75.			
„ c. 79.	Stamp Duties	Repealed	99
„ c. 86.	Church Discipline	Amended	91
„ c. 96. in part	Postage (Newspapers)	Repealed	79
4 & 5 Vict. c. 34.	Stamp Duties	Repealed	99
5 Vict. c. 8.	National Debt	Repealed	69
5 & 6 Vict. c. 79. in part	Stamp Duties	Repealed	99
„ c. 82. in part			
6 & 7 Vict. c. 72.			
„ c. 73.	Attorneys Costs	Amended	28
„ c. 75. 76.	Apprehension of Offenders	Repealed	52
7 & 8 Vict. c. 4.	National Debt, &c.	Repealed	69
„ c. 5.			
„ c. 21.	Stamp Duties	Repealed	99
„ c. 39.	National Debt, &c.	Repealed	69
„ c. 64.			
„ c. 66.	Aliens	Repealed	14
„ c. 80.	National Debt, &c.	Repealed	69
„ c. 81.	Marriages (Ireland)	Amended	110
8 & 9 Vict. c. 16.	Companies	Amended	61
„ c. 29.	Printworks	Repealed	62
„ c. 62.	National Debt, &c.	Repealed	69
„ c. 76. ss. 2, 3.	Stamp Duties	Repealed	99
„ c. 97.	National Debt, &c.	Repealed	69
„ c. 120.	Apprehension of Offenders	Repealed	52
9 & 10 Vict. c. 8.	National Debt, &c.	Repealed	69
„ c. 95. ss. 48, 50–55.	County Courts	Repealed	15
10 & 11 Vict. c. 9.	National Debt, &c.	Repealed	69
„ c. 70.	Printworks	Repealed	62
„ c. 83.	Naturalization of Aliens	Repealed	14
11 & 12 Vict. c. 2. s. 14.	Crime and Outrage (Ireland).	Repealed	9
11 & 12 Vict. c. 117.	Newspapers (Channel Islands).	Repealed	79
„ c. 125.	National Debt, &c.	Repealed	69
12 & 13 Vict. c. 41.	Coinage and Currency	Repealed	10
„ c. 80. (with an exception).	Stamp Duties	Repealed	99
„ c. 91. s. 24.	Collection of Rates (Dublin).	Repealed	11

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
13 & 14 Vict. c. 67. s. 6. -	Brewers Retail Licences -	Repealed	29
„ c. 97. (with an exception).	Stamp Duties - -	Repealed	99
16 & 17 Vict. c. 23. - -	National Debt, &c. -	Repealed	69
„ c. 59. in part -	Stamp Duties - -	Repealed	99
„ c. 63. (with an exception).	Stamp Duties - -	Repealed	79, 99
„ c. 71. - -	Stamp Duties on Newspapers.	Repealed	99
„ c. 92. - -	Sheriffs (Scotland) -	Amended	86
„ c. 113. - -	Abolition of Real Actions	Amended	109
„ c. 132. - -	National Debt - -	Repealed	69
17 & 18 Vict. c. 83. in part -	Stamp Duties - -	Repealed	99
„ c. 125. ss. 28, 29.			
18 & 19 Vict. c. 18. - -	National Debt, &c. -	Repealed	69
„ c. 27. - -	Stamp Duties on Newspapers.	Repealed	79, 99
„ c. 78. s. 5. - -	Stamp Duties - -	Repealed	99
„ c. 97. in part -	Duties on Corn (Isle of Man).	Repealed	12
„ c. 117. - -	Ordnance Board -	Amended	17
„ c. 119. s. 29. -	Passengers Act - -	Amended	95
19 & 20 Vict. c. 5. - - -	National Debt, &c. -	Repealed	69
„ c. 6. - -			
„ c. 21. - -			
„ c. 22. - -	Stamp Duties - -	Repealed	99
„ c. 36. - -	Peace Preservation (Ireland).	Amended & repealed in part.	9
„ c. 58. - -	Municipal Elections (Scotland).	Amended	92
„ c. 61. - -	Survey (Great Britain) -	Repealed	13
„ c. 81. - -	Stamp Duties - -	Repealed	99
„ c. 102. ss. 34, 35.			
21 & 22 Vict. c. 1. - - -	National Debt, &c. -	Repealed	69
„ c. 20. - -	Stamp Duties -	Repealed	99
„ c. 24. - -			
„ c. 99. - -	British Columbia -	Amended	66
„ c. 100. - -	Petty Sessions Clerk (Ireland).	Amended	64
22 & 23 Vict. c. 30. - -	Copper Coin, &c. -	Repealed	10
„ c. 41. - -	Government of India: Contracts.	Amended	59
23 & 24 Vict. c. 15. (except ss. 4–6).	Stamp Duties - -	Repealed	99
„ c. 50. - -	Annuity Tax - -	Amended & repealed in part.	87
„ c. 71. - -	National Debt, &c. -	Repealed	69
„ c. 78. - -	Bleaching and Dyeing Works.	Repealed	62
„ c. 79. - - -	Sheriff Courthouses (Scotland).	Amended	16
„ c. 111. in part -	Stamp Duties - -	Repealed	99
24 & 25 Vict. c. 3. in part -	National Debt, &c. -	Repealed	69
„ c. 21. in part -	Stamp Duties - -	Repealed	99
„ c. 35. - -	National Debt, &c. -	Repealed	69

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
24 & 25 Vict. c. 50.	Stamp Duties	Repealed	99
„ c. 91. in part	Stamp Duties	Repealed	99
„ c. 96. s. 102.	Larceny	Amended	65
„ c. 98.	Forgery	Amended	58
25 & 26 Vict. c. 8.	Bleaching and Dyeing Works	Repealed	62
„ c. 21.	National Debt	Repealed	69
„ c. 22. in part	Stamp Duties	Repealed	99
„ c. 22. s. 43.	Income Tax	Amended	32
„ c. 70.	Surrender of Criminals (Denmark)	Repealed	52
„ c. 89.	Companies	Amended	61, 104
„ c. 101.	Police of Towns (Scotland).	Amended	37
„ c. 105.	Highland Roads and Bridges.	Amended	16
26 & 27 Vict. c. 10. s. 3.	Salmon	Amended	33
„ c. 12.	Secretary of State for War	Amended	17
„ c. 27.	Marriages (Ireland)	Amended	110
„ c. 28.	National Debt, &c.	Repealed	69
„ c. 33. s. 24.	National Debt, &c.	Repealed	69
„ c. 33.	Beer Retailers Licences	Amended	29
„ c. 38.	Bleaching and Dyeing Works.	Repealed	62
„ c. 74.	Sydney Branch Mint	Repealed	10
„ c. ccxiv.	Elgin and Nairn Roads, &c.	Amended	16
27 & 28 Vict. c. 18 in part	Stamp Duties	Repealed	99
„ c. 56. in part	Stamp Duties	Repealed	99
„ c. 90.	Stamp Duties	Repealed	99
„ c. 98.	Bleaching and Dyeing Works.	Repealed	62
„ c. 120.	Railways	Amended & repealed in part.	19
„ c. 121.	Railways	Amended & repealed in part.	19
28 & 29 Vict. c. 70.	Constabulary (Ireland)	Amended	83
„ c. 78.	Mortgage Debentures	Amended & repealed in part.	20
„ c. 89. s. 51.	Greenwich Hospital	Repealed	100
„ c. 96. in part	Stamp Duties	Amended	99
„ c. 96.	Life Policies	Amended	32
„ c. 121. s. 65.	Salmon	Amended	33
29 & 30 Vict. c. 4.	Cattle Disease	Amended	36
„ c. 11. s. 2.	National Debt, &c.	Repealed	69
„ c. 14. ss. 8, 9.	County Courts	Repealed	15
„ c. 23. in part	Customs (Isle of Man)	Repealed	43
„ c. 64. s. 16.	Stamp Duties	Repealed	99
„ c. 65.	Colonial Branch Mints	Repealed	10
„ c. 67.	British Columbia	Amended	66
„ c. 82. s. 13.	Coinage	Repealed	10
„ c. 90.	Sanitary Act, 1866	Amended	53, 106
„ c. 103.	Constabulary (Ireland)	Amended	83
„ c. 121.	Extradition Treaties	Repealed	52
30 & 31 Vict. c. 6.	Metropolitan Poor	Amended	18
„ c. 15.	Shipping Dues Exemption	Amended	50
c. 23.	Sea Insurance Policies	Amended	97

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 33 & 34 Vict.
30 & 31 Vict. c. 34. ss. 9, 10.	Army Enlistment	Repealed	7
,, c. 90. ss. 20–24.	Stamp Duties	Repealed	99
,, c. 96. s. 23.			
,, c. 103.	Factories	Amended & repealed in part.	62
,, c. 107.	Annuity Tax	Amended & repealed in part.	87
,, c. 110.	Reserve Force	Amended	67
,, c. 111.	Militia Reserve	Amended	67
,, c. 113.	Sewage Utilization	Amended	53
,, c. 142. s. 18.	County Courts	Repealed	15
,, c. 46.	Workshops	Amended	62
31 & 32 Vict. c. 48.	Municipal Elections (Scotland).	Amended	92
,, c. 99.	Turnpike Trusts	Amended	73
,, c. 100. in part	Stamp Duties	Repealed	99
,, c. 108.	Municipal Elections (Scotland)	Amended	92
,, c. 110.	Telegraphs	Amended	88
,, c. 118.	Public Schools	Amended	84
,, c. 124. ss. 10–12.	Stamp Duties	Repealed	99
32 & 33 Vict. c. 14. ss. 6, 7.	Income Tax	Repealed	32
,, c. 27.	Beerhouses, &c.	Amended	29
,, c. 32. s. 6.	Pensions Commutation	Amended	101
,, c. 52.	Shipping Dues Exemption	Repealed	50
,, c. 68.	Evidence Amendment	Amended	49
,, c. 73.	Telegraphs	Amended	88
,, c. 102.	Metropolitan Board of Works.	Amended	24
,, c. 104.	National Debt, &c.	Repealed	69
33 & 34 Vict. c. 14.	Oaths of Allegiance	Amended	102
,, c. 47.	National Debt, &c.	Repealed	69

THE

PUBLIC GENERAL STATUTES,

33 VICTORIA.

CHAP. 1.

An Act to empower Committees on Bills confirming Provisional Orders to award Costs and examine Witnesses on Oath. [25th March 1870.]

WHEREAS it is expedient to empower Committees of both Houses of Parliament to award costs in certain cases, and also to empower Committees of the House of Commons to administer oaths to witnesses in certain cases not already provided for:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to Committees of either House of Parliament on Bills confirming Provisional Orders to award costs.

1. Any Select Committee of either House of Parliament to which any Bill for confirming Provisional Orders has been referred in relation to any Provisional Order therein contained may award costs in like manner and subject to the same conditions as costs may be awarded by any Select Committee empowered to award costs by the Act of the twenty-eighth Victoria, chapter twenty-eight, and the provisions of the said Act so far as they are applicable shall apply to such Select Committees and to the matters so referred to them.

Power to such Committees of House of Commons to examine witnesses upon oath.

2. Any Select Committee of the House of Commons to which any Bill for confirming Provisional Orders has been referred in relation to any Provisional Order therein contained may examine witnesses upon oath in like manner as any Select Committee to which any Private Bill has been referred may administer oaths under the Act of the twenty-second Victoria, chapter seventy-eight, and the provisions of the said Act so far as they are applicable shall apply to any Select Committee to which any such Bill has been referred as aforesaid and to the oaths administered by such Committee.

CHAP. 2.

An Act to make provision for the proceedings of Boards of Management and Boards of Guardians upon the dissolution of Districts and Unions or the annexation of Parishes to Unions.

[25th March 1870.]

WHEREAS it is expedient that better provision should be made for the proceedings of boards of management and boards of guardians when the districts or unions for which they have acted respectively are dissolved, or the parish for which any such board of guardians have acted shall be added to a union or to another parish:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Persons acting as guardians or managers at time of dissolution, &c. to continue in office to wind up accounts;

1. When the Poor Law Board shall have dissolved or shall dissolve any district the component parts whereof shall not have been formed into one union, or shall have dissolved or shall dissolve any union, or shall have added or shall add any parish in which the relief to the poor shall be or shall have been administered by a board of guardians to a union or to another parish, the persons who were acting as managers or guardians at the time of the dissolution or addition, and the survivors of them, shall continue in office for the purpose of paying and discharging the debts and liabilities of such district, union, or parish, and of receiving and recovering moneys or other property due to the said district, union, or parish, as the case may be, in like manner as the board of management or board of guardians could have done if no dissolution or addition had taken place; and the said managers or guardians shall be empowered to make all necessary orders for contributions upon the unions and parishes comprised within the district or union so dissolved, or upon the proper authorities of the parish so added, as the case may require, and to enforce the same as the board of management or board of guardians could have done previous to the dissolution or addition respectively: provided that the limitation of time for the payment of debts imposed by the statute of the twenty-second and twenty-third Victoria, chapter forty-nine, shall not apply to the cases of districts or unions dissolved or of parishes added to a union before the passing of this Act, where such limitation had not taken effect previous to the dissolution or addition thereof as aforesaid; and provided that no such managers or guardians shall be empowered to act in the manner aforesaid for a longer period than twelve months from the date of the dissolution or addition, unless the Poor Law Board by their order shall authorise them to continue to act for some special purpose.

and empowered to make orders upon parishes or unions for contributions, and to enforce the same;

and also may retain services of officers with salaries and for periods to be approved of by Poor Law Board.

2. The said managers or guardians may retain the services of such of the officers of the board of management or board of guardians respectively as they shall deem requisite to enable them to complete the liquidation and discharge of the debts and liabilities of the union, district, or parish, or appoint others to assist them, with such remuneration and for such time only as the Poor Law Board shall approve.

Provision for the continuance of actions, suits, or other proceedings.

3. All actions, suits, or other proceedings commenced by or against the board of management or board of guardians prior to the dissolution or addition aforesaid, may be continued by or against the said last acting managers or guardians in the name of the board of management or board of guardians, as the case may be, except where the several parts of a district shall have been or shall be formed into one union, in the manner provided for by the second section of the Metropolitan Poor Amendment Act, 1869, and all the costs incurred by or adjudged against such managers or guardians in any such action, suit, or other proceeding, and not otherwise recovered, shall be chargeable to the same fund as if the action, suit, or proceeding had been determined before the dissolution or addition.

Poor Law Board upon notice from managers, &c. to make adjustment.

4. Upon notice from the managers or guardians, as the case may be, *that all the current debts and liabilities of the district* or union have been liquidated and discharged, or when the Poor Law Board shall otherwise deem it expedient, the said board shall proceed to make such adjustment of the rights and liabilities of the several unions or parishes contained in such district or union respectively as is provided for by the thirty-second section of the Poor Law Amendment Act, 1834, and the first section of the Metropolitan Poor Amendment Act, 1869.

When union is formed out of parishes, acting guardians, &c. to continue till guardians are elected.

5. Upon the issue of the order of the Poor Law Board forming a union of two or more parishes, in which the relief to the poor has been administered by a board of guardians, the last acting guardians or overseers respectively shall continue to administer such relief in the parish or parishes respectively until the guardians for the union shall be completely elected.

Accounts of last acting guardians, &c. to be audited.

6. The accounts of the last acting managers or guardians and of their officers and of the overseers shall be audited in the like manner and for the like purpose and with the like effect and by the same auditor as if the dissolution or addition had not taken place.

As to payment of loans contracted and still due.

7. If when a district or union has been or shall be dissolved there remain unpaid any instalment or instalments of a loan or loans contracted under the provisions of any Act of Parliament by the managers or guardians of such district or union, every such instalment and all interest on such loan or loans not discharged before the expiration of the time within which the said last managers or guardians respectively can act shall from time to time after the same shall severally have become due be paid by such board or boards of managers or

guardians as the Poor Law Board by their order shall direct, and the amounts shall be charged against the same parishes and in the same proportions as they would have been had no such dissolution taken place; and if when a parish has been or shall be added to a union or to another parish there remain unpaid any such instalment or instalments of any such loan or loans as aforesaid contracted by the guardians of the poor of the said parish, every such instalment and all interest on such loan or loans not discharged within such time as aforesaid shall from time to time after the same shall severally become due be paid out of the poor rates of the said parish by the overseers or other body or persons who make and levy the said rates; and the parties to whom any such instalment or interest shall be due shall have in all respects the same remedies for the recovery thereof against the managers or guardians so directed as aforesaid to pay the same, or against the overseers or other body or persons as aforesaid, as the case may be, as they severally had against the managers or guardians who originally contracted the loan in respect of which such instalment or interest is payable: Provided that nothing herein contained shall prevent the instalments and interest or balance of any such loan from being discharged out of the produce of the sale of any property belonging to any district or union at the time of the dissolution, or to any parish at the time of its being added to the union.

Deeds and other matters relating to the relief of the poor transferred to new board of guardians.

8. All deeds, bonds, covenants, indentures, orders of justices, or other matters affecting any poor persons, apprentices, or officers entered into by or made upon or in favour of any board of guardians of a parish which shall be added to a union, shall vest in and enure to the benefit of or shall be a charge upon the guardians of the union to which such parish shall have been added without any assignment, transfer, or other act; and all securities, deeds, orders, books of account, and other documents relating thereto, shall, when required by said guardians, be delivered to them by the persons having the custody thereof; and all such deeds (other than the title deeds to property), bonds, indentures, orders of justices, or other documents and matters as aforesaid belonging to any dissolved district or union shall be preserved in such custody and shall be open to inspection in such manner as the Poor Law Board shall by their order from time to time direct.

Superannuation allowances and compensations to be paid by guardians of unions.

9. Every superannuation allowance granted by a board of guardians in conformity with the provisions of the statute applicable thereto, and every compensation ordered by the Poor Law Board to be paid to any officer by or on account of any parish, whether part of a dissolved union or not, shall, when such parish shall be added to or formed with another into a union, be paid by the guardians of such union to the person entitled thereto and charged by them to the account of such parish.

Sect. 20. of 30 & 31 Vict. c. 106. extended to a parish added to another parish to form a union.

10. The provisions contained in the twentieth section of the Poor Law Amendment Act, 1867, relating to the period of service of officers and the allowance of compensations to persons deprived of their offices, shall extend to the case of a parish which shall be united to some one or more parishes to form a union, and to the officers of such parish.

Provision for the valuations of property on dissolution, separation, or amalgamation of unions and districts.

11. When any district or union has been or shall be dissolved, or any parish has been or shall be added to or separated from a union, or any unions or parishes added to or separated from a district or part of it, or any parish has been or shall be added to another parish to form a union, and a valuation shall become requisite for the adjustment of the rights and liabilities of the districts, unions, or parishes affected thereby, such valuation shall be procured by the managers, guardians, or overseers of the districts, unions, or parishes respectively, in such manner as the parties interested shall mutually agree upon, or by the Poor Law Board in case of their not agreeing within such time as the Board shall fix, which Board shall direct the expenses incurred in procuring the same to be charged to the districts, unions, parishes, or parts thereof respectively, according as they shall be interested therein, in such proportions as to the said board shall seem to be equitable; and every person in whose favour such direction shall have been given shall be entitled to recover the amount from the persons directed to pay the same, by action in like manner as any debt recoverable at law.

Vesting of property of dissolved unions, &c. in last acting managers or guardians until sold, &c. under sect. 3. of 5 & 6 W. 4. c. 69.

12. Upon the dissolution of any district or union, or the addition of any parish in which the relief to the poor shall have been or shall be administered by a board of guardians to a union or to another parish, the real and personal estate vested in the managers or guardians of such district, union, or parish respectively shall be transferred to and vested in the persons who were acting as managers or guardians respectively at the time of such dissolution or addition, to be held by them as joint tenants, according to the nature of such property, in trust for the parishes comprised in such district or union, or for the parish, as the case may be, until the same shall be sold, let, or otherwise disposed of under the authority of the third section of the "Union and Parish Property Act, 1835," and any Act extending the same: Provided, that nothing herein contained shall apply to any parish provided for by the fifth section of the Metropolitan Poor Amendment Act, 1869, or by a Local Act.

Construction of Act.

13. The words used in this Act shall be construed in like manner as in the Poor Law Amendment Act, 1834, and in the subsequent Acts amending and extending the same.

Short title.

14. This Act may be cited and described for all purposes as "The Dissolved Boards of Management and Guardians Act, 1870."

CHAP. 3.

An Act to make better provision for making laws and regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

WHEREAS it is expedient that provision should be made to enable the Governor General of India in Council to make regulations for the peace and good government of certain territories in India, otherwise than at meetings for the purpose of making laws and regulations held under the provisions of The Indian Council's Act, 1861, and also for certain other purposes connected with the Government of India:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to Executive Government of British India to make regulations for certain parts thereof.

1. Every governor of a Presidency in Council, lieutenant governor, or chief commissioner, whether the governorship, or lieutenant governorship, or chief commissionership be now in existence or may hereafter be established, shall have power to propose to the Governor General in Council drafts of any regulations, together with the reasons for proposing the same, for the peace and government of any part or parts of the territories under his government or administration to which the Secretary of State for India shall from time to time by resolution in council declare the provisions of this section to be applicable from any date to be fixed in such resolution.

And the Governor General in Council shall take such drafts and reasons into consideration; and when any such draft shall have been approved of by the Governor General in Council, and shall have received the Governor General's assent, it shall be published in the "Gazette of India" and in the local "Gazette," and shall thereupon have like force of law and be subject to the like disallowances as if it had been made by the Governor General of India in Council at a meeting for the purpose of making laws and regulations.

The Secretary of State for India in Council may from time to time withdraw such power from any governor, lieutenant governor, or chief commissioner, on whom it has been conferred, and may from time to time restore the same as he shall think fit.

Copies of regulations to be sent to Secretary of State.

Subsequent enactments to control regulations.

2. The Governor General shall transmit to the Secretary of State for India in Council an authentic copy of every regulation which shall have been made under the provisions of this Act; and all laws or regulations hereafter made by the Governor General of India in Council, whether at a meeting for the purpose of making laws and regulations, or under the said provisions, shall control and supersede any regulation in

anywise repugnant thereto which shall have been made under the same provisions.

Lieutenant governors, &c. to be members ex officio of the Governor General's Council for making laws and regulations.

3. Whenever the Governor General in Council shall hold a meeting for the purpose of making laws and regulations at any place within the limits of any territories now or hereafter placed under the administration of a lieutenant governor or a chief commissioner, the lieutenant governor or chief commissioner respectively shall be ex officio an additional member of the council of the Governor General for that purpose, in excess (if necessary) of the maximum number of twelve specified by the said Act.

Sect. 49. of 3 & 4 W. 4. c. 85. repealed.

4. Section forty-nine of the Act of the third and fourth years of King William the Fourth, chapter eighty-five, is hereby repealed.

Procedure in case of difference between the Governor General and the majority of his council.

5. Whenever any measure shall be proposed before the Governor General of India in Council whereby the safety, tranquillity, or interests of the British possessions in India, or any part thereof, are or may be, in the judgment of the said Governor General, essentially affected, and he shall be of opinion either that the measure proposed ought to be adopted and carried into execution, or that it ought to be suspended or rejected, and the majority in council then present shall dissent from such opinion, the Governor General may, on his own authority and responsibility, suspend or reject the measure in part or in whole, or adopt and carry it into execution, but in every such case any two members of the dissentient majority may require that the said suspension, rejection, or adoption, as well as the fact of their dissent, shall be notified to the Secretary of State for India, and such notification shall be accompanied by copies of the minutes (if any) which the members of the council shall have recorded on the subject.

Power to appoint natives of India to certain offices without certificate from the Civil Service Commissioners.

6. Whereas it is expedient that additional facilities should be given for the employment of natives of India, of proved merit and ability, in the civil service of Her Majesty in India: Be it enacted, that nothing in the "Act for the government of India," twenty-one and twenty-two Victoria, chapter one hundred and six, or in the "Act to confirm certain appointments in India, and to amend the law concerning the civil service there," twenty-four and twenty-five Victoria, chapter fifty-four, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the civil service of Her Majesty in India from appointing any native of India to any such office, place, or employment, although such native shall not have been admitted to the said civil service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of

a majority of members present; and that for the purpose of this Act the words "natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only; and that it shall be lawful for the Governor General in Council to define and limit from time to time the qualification of natives of India thus expressed; provided that every resolution made by him for such purpose shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

CHAP. 4.

An Act to make provision for the assessment of Income Tax, and to amend the law relating to Inland Revenue. [25th March 1870.]

WHEREAS in order to ensure the collection in due time of any duties of income tax which may be granted for the year commencing the sixth day of April One thousand eight hundred and seventy, it is expedient that the provisions of the Income Tax Acts relating to assessment should be applied to such duties before the same are granted:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of existing Income Tax Acts to duties to be granted.

1. All such provisions contained in any Act of Parliament relating to the duties of income tax as are in force at the date of the passing of this Act shall have full force and effect with respect to any duties of income tax which may be granted for the year commencing the sixth day of April one thousand eight hundred and seventy, in the same manner as if such duties had been actually granted, and the said provisions had been applied thereto; provided that nothing in this Act shall be deemed to continue or put in force sections six and seven of the Act of the session of the thirty-second and thirty-third years of the reign of Her present Majesty, chapter fourteen, or to continue the rates of income tax granted by that Act.

As to returns, &c. under 32 & 33 Vict. c. 67.

2. The returns and statements made under the Valuation (Metropolis) Act, 1869, shall be deemed to be, and shall be taken as returns and statements for the assessment of the duties under schedules A. and B. of the Income Tax Act.

Commissioners for general purposes to execute Acts relating to house duties.

3. The commissioners for the general purposes of the Income Tax Acts shall be commissioners for executing the Acts relating to the inhabited house duties, and all appeals against the said duties shall be determined in like manner as appeals under schedule A. of the Income Tax Acts.

Short title.

4. This Act may be cited as "The Income Tax Assessment Act, 1870."

CHAP. 5.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy, and one thousand eight hundred and seventy-one, and preceding years.

[25th March 1870.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

There may be applied for the service of the years ending 31st March 1869 and 1870, &c. the sum of 564,191*l.* 7*s.* 2*d.* out of the Consolidated Fund.

1. *There may be issued and applied, for or towards making good the supply granted to Her Majesty for the service of the years ending on the thirty-first day of March one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy, and preceding years, the sum of five hundred and sixty-four thousand one hundred and ninety-one pounds seven shillings and twopence out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and the Commissioners of Her Majesty's Treasury for the time being are hereby authorised and empowered to issue and apply the same accordingly.*

There may be applied for the service of the year ending 31st March 1871 the sum of 9,000,000*l.* out of the Consolidated Fund.

2. There may be issued and applied, for or towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-one, the sum of nine million pounds out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and the Commissioners of Her Majesty's Treasury for the time being are hereby authorised and empowered to issue and apply the same accordingly.

Treasury may borrow 9,564,191*l.* 7*s.* 2*d.* on the credit of this Act.

3. The Commissioners of the Treasury may borrow upon the credit of the sums granted by this Act out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, an amount not exceeding in the whole the sum of nine million five hundred and sixty-four thousand one hundred and ninety-one pounds seven shillings and twopence, and such amount may be borrowed by the said Commissioners from time to time, in such sums as may be required for the public service, and shall be placed to the credit of the account of Her Majesty's Exchequer at the Bank of England, and be

available to satisfy any orders for credits granted or to be granted on the said account, under the provisions of the "Exchequer and Audit Departments Act, 1866."

Interest on moneys borrowed.

4. The sums borrowed from time to time under the authority of this Act shall bear interest not exceeding the rate of five pounds per centum per annum, and the principal and interest of all such sums shall be paid out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said sums shall have been borrowed.

CHAP. 6.

An Act to extend the Jurisdiction of the Judges of the Superior Courts of Common Law at Westminster.

[25th March 1870.]

WHEREAS it is expedient to amend the law relating to the jurisdiction of the Judges of the Superior Courts of Common Law at Westminster:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title of Act.

1. This Act may be cited for all purposes as "The Judges Jurisdiction Act, 1870."

Chief Judge, &c. may request assistance.

2. In case any one of Her Majesty's Superior Courts of Common Law at Westminster shall require assistance in the despatch of business pending in such Court, and shall by the Chief Judge of such Court make request in writing to the Chief Judge of any other of the said Courts for the assistance of a Puisne Judge of such last-mentioned Court in the execution of the duties of the first-mentioned Court, either by sitting in Court or in any manner and for any purpose whatsoever, and such request may be either general or special, and for such time as may be therein specified; and the Chief Judge to whom such request is made shall thereupon refer such request to the Judges of the Court of which he is Chief Judge, and the Judges of such Court may (if the business pending in his Court do not peremptorily require the attendance of all the Puisne Judges) appoint one of such Puisne Judges to assist the first-mentioned Court, and the Puisne Judge so appointed shall in all matters of which he may take cognizance have the same jurisdiction in all respects as if he were a Puisne Judge of the Court to which the Chief Judge belongs who requests his assistance.

Evidence of request by Chief Judge not required.

3. No evidence shall be required of such request by such Chief Judge in order to found the jurisdiction of such Puisne Judge.

Two divisions of any Court may be sitting at one time in banc.

4. Any of the Superior Courts of Common Law at Westminster may sit in two divisions at one time in banc; and each of such divisions shall exercise the same power and autho-

rity as might be exercised by the whole Court so sitting in banc; and where necessary any Puisne Judge of either of the other Superior Courts may, on such request as above mentioned of a Chief Judge, assist in holding such sitting in the same manner and with the same authority as if he were a judge of the Court sitting in banc.

Any number of sittings may be held at Nisi Prius at one time.

5. Any number of judges may at one and the same time hold a sitting or sittings at Nisi Prius either in London or Westminster, as may be deemed expedient by the Court.

Definition of Chief Judge.

6. The expression "Chief Judge" for the purposes of this Act shall mean the Chief Justice of the Court of Queen's Bench, the Chief Justice of the Court of Common Pleas, and the Chief Baron of the Exchequer, and where the office of any such Chief Judge is for the time being vacant, the senior Puisne Judge of the Court in which such office may be vacant.

CHAP. 7.

An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.

[4th April 1870.]

WHEREAS the raising or keeping a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law: And whereas it is adjudged necessary by Her Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom, and the defence of the possessions of Her Majesty's Crown, and that the whole number of such forces should consist of one hundred and fifteen thousand and thirty-seven men, including six thousand three hundred and ninety-four, all ranks, to be employed with the depôts in the United Kingdom of Great Britain and Ireland of regiments serving in Her Majesty's Indian possessions, but exclusive of the numbers actually serving within Her Majesty's Indian possessions: And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm by martial law, or in any other manner than by judgment of his peers, and according to the known and established laws of this realm; yet nevertheless it being requisite, for the retaining all the before-mentioned forces in their duty, that an exact discipline be observed, and that soldiers who shall mutiny or stir up sedition, or shall desert Her Majesty's service, or be guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

Number of men to consist of 115,037, including those employed at depôts of regiments serving in India, but exclusive of those actually serving in India.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Articles of War made by Her Majesty to be judicially taken notice of, and copies printed by the Queen's printer to be transmitted to judges, &c.

1. It shall be lawful for Her Majesty to make Articles of War for the better government of Her Majesty's army, which articles shall be judicially taken notice of by all judges and in all courts whatsoever; and copies of the same, printed by the Queen's printer, shall, as soon as may be after the same shall have been made and established by Her Majesty, be transmitted by Her Majesty's Secretary of State for the War Department to the judges of Her Majesty's superior courts at Westminster, Dublin, and Edinburgh respectively, and also to the governors of Her Majesty's dominions abroad: Provided that no person within the United Kingdom of Great Britain and Ireland, or within the British Isles, shall by such Articles of War be subject to suffer any punishment extending to life or limb, or to be kept in penal servitude, except for crimes which are by this Act expressly made liable to such punishments as aforesaid, or shall be subject, with reference to any crimes made punishable by this Act, to be punished in any manner which shall not accord with the provisions of this Act: Provided also, that nothing in this Act contained shall in any manner prejudice or affect any Articles of War or other matters made, enacted, or in force, or which may hereafter be made, enacted, or in force, under the authority of the Government of India, respecting officers or soldiers or followers in Her Majesty's Indian army, being natives of India; and on the trial of all offences committed by any such native officer or soldier or follower, reference shall be had to the Articles of War framed by the Government of India for such native officers, soldiers, or followers, and to the established usages of the service.

Persons subject to this Act.

2. All the provisions of this Act shall apply to all persons who are or shall be commissioned or in pay as an officer, or who are or shall be listed or in pay as a non-commissioned officer or soldier, and to all warrant officers, and to all persons employed on the recruiting service receiving pay, and all pensioners receiving allowances in respect of such service, and to persons who are or shall be hired to be employed in the royal artillery, royal engineers, and to master gunners, and to conductors of stores, and to the corps of royal military surveyors and draftsmen, and to all officers and persons who are or shall be serving on the commissariat staff, or soldiers in the commissariat staff corps, and to officers and soldiers serving in the corps to be hereafter organised and called the army service corps, or in the military store department, or in the military store staff corps, and to persons in the War Department, who are or shall be serving with any part of Her Majesty's army at home or abroad, under the command of any commissioned officer, and (subject to and in accordance with the provisions of an Act passed in the sixth and seventh years of the reign of Her present Majesty, chapter ninety-five,) to any out-pensioners of the Royal Hospital, Chelsea, who may be called out on duty in aid of the civil power, or for muster or inspection

or who having volunteered their services for that purpose shall be kept on duty in any fort, town, or garrison, and to all military store officers and other civil officers who are or shall be employed by or act under the Secretary of State for War at any of Her Majesty's establishments in the islands of Jersey, Guernsey, Alderney, Sark, and Man, and the islands thereto belonging, or at foreign stations; and all the provisions of this Act shall apply to all persons belonging to Her Majesty's Indian forces who are or shall be commissioned or in pay as officers, or who shall be listed or in pay as non-commissioned officers or soldiers, or who are or shall be serving or hired to be employed in the artillery or any of the trains of artillery, or as master gunners or gunners, or as conductors of stores, or who are or shall be serving in the department of engineers, or in the corps of sappers and miners, or pioneers, or as military surveyors or draftsmen, or in the ordnance or public works or commissariat departments, and to all storekeepers and other civil officers employed under the ordnance, and to all veterinary surgeons, medical storekeepers, apothecaries, hospital stewards, and others serving in the medical department of the said forces, and to all licensed suttlers, and all followers in or of any of the said forces; provided that nothing in this Act contained shall extend to affect any security which has been or shall be given by any military store officer, barrack master, or other officer, or their sureties, for the due performance of their respective offices, but that all such securities shall be and remain in full force and effect.

Provisions of this Act to extend to Jersey, Guernsey, &c.

3. This Act shall extend to the islands of Jersey, Guernsey, Alderney, Sark, and Man, and the islands thereto belonging, as to the provisions herein contained for enlisting of recruits, whether minors or of full age, and swearing and attesting such recruits, and for mustering and paying, and as to the provisions for the trial and punishment of officers and soldiers who shall be charged with mutiny and desertion, or any other of the offences which are by this Act declared to be punishable by the sentence of a court-martial, and also as to the provisions which relate to the punishment of persons who shall conceal deserters, or shall knowingly buy, exchange, or otherwise receive any arms, medals for good conduct or for distinguished or other service, clothes, military furniture, or regimental necessaries from any soldier or deserter, or who shall cause the colour of any such clothes to be changed, or who shall aid in the escape of a prisoner from a military prison, or who shall introduce forbidden articles into such prison, or shall carry out any such articles, or who shall assault any officer of such prison, and also as to the provisions for exempting soldiers from being taken out of Her Majesty's service for not supporting or for leaving chargeable to any parish any wife or child or children, or on account of any breach of contract to serve or work for any employer, or on account of any debts under thirty pounds in the said islands.

Colonial and foreign troops in Her Majesty's pay to be subject to provisions of this Act.

4. All officers and soldiers of any troops mustered and in pay which shall be raised and serving in any of Her Majesty's dominions abroad, or in places in possession of or occupied by Her Majesty's subjects under the command of any officer having any commission immediately from Her Majesty, shall be subject to the provisions of this Act and of Her Majesty's Articles of War, in like manner as Her Majesty's other forces are; and if such officers and soldiers, having been made prisoners, be sent into Great Britain or Ireland, although not allowed to serve therein, all the provisions of this Act in regard to billeting soldiers shall apply to such officers and soldiers.

Provision as to the militia or yeomanry or volunteer corps or reserve forces.

5. Nothing in this Act contained shall be construed to extend to any militia forces or yeomanry or volunteer corps in Great Britain or Ireland, or to the reserve force provided for by "The Reserve Force Act, 1867," or to the reserve force provided for by "The Militia Reserve Act, 1867," excepting only where by any Act for regulating any of the said forces or corps the provisions contained in any Act for punishing mutiny and desertion are or shall be specifically made applicable to such forces or corps.

Power to constitute courts-martial.

6. For the purpose of bringing offenders against this Act and against the Articles of War to justice, Her Majesty may from time to time, in like manner as has been heretofore used, grant commissions under the Royal Sign Manual for the holding of courts-martial within the United Kingdom of Great Britain and Ireland, and may grant commissions or warrants under the said Royal Sign Manual to the chief governor or governors of Ireland, the commander of the forces, or the person or persons commanding in chief, or commanding for the time being, any body of troops belonging to Her Majesty's army, as well within the United Kingdom of Great Britain and Ireland and the British Isles as in any of Her Majesty's garrisons and dominions or elsewhere beyond seas, for convening courts-martial, and for authorising any officer under their respective commands to convene courts-martial, as occasion may require, for the trial of offences committed by any of the forces under the command of any such last-mentioned officer, whether the same shall have been committed before or after such officer shall have taken upon him such command: Provided that the officer so authorised be not below the degree of a field officer, except in detached situations beyond seas where a field officer is not in command, in which case a captain may be authorised to convene district or garrison courts-martial: Every officer so authorised to convene courts-martial may confirm the sentence of any court-martial convened by him according to the terms of his warrant.

Place where offenders may be tried.

7. Any person subject to this Act who shall, in any part of Her Majesty's dominions or elsewhere, commit any of the offences for which he may be liable to be tried by court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any part of Her Ma-

jesty's dominions or in any other place whereto he may have come or where he may be after the commission of the offence, as if the offence had been committed where such trial shall take place.

Powers of general courts-martial.

8. Every general court-martial convened within the United Kingdom or the British Isles shall consist of not less than nine commissioned officers, each of whom shall have held a commission for three years before the date of the assembly of the court. Every general court-martial shall have power to sentence any officer or soldier to suffer death, penal servitude, imprisonment, forfeiture of pay or pension, or any other punishment which shall accord with the usage of the service: No sentence of death by a court-martial shall pass unless two thirds at least of the officers present shall concur therein; no sentence of penal servitude shall be for a period of less than five years; and no sentence of imprisonment shall be for a period longer than two years.

Powers of district or garrison courts-martial.

9. Every district or garrison court-martial convened within the United Kingdom or the British Isles shall consist of not less than seven commissioned officers, and shall have the same power as a general court-martial to sentence any soldier to such punishments as shall accord with the provisions of this Act: *Provided always*, that no such district or garrison court-martial shall have power to try a commissioned officer, or to pass any sentence of death or penal servitude.

Powers of regimental or detachment courts-martial.

10. A regimental or detachment court-martial shall consist of not less than five commissioned officers, unless it is found to be impracticable to assemble that number, in which case three shall be sufficient, and shall have power to sentence any soldier to corporal punishment, or to imprisonment, and to forfeiture of pay, in such manner as shall accord with the provisions of this Act.

Courts-martial on line of march or in troop ships, &c.

11. In cases of mutiny, and insubordination accompanied with personal violence, or other offences committed on the line of march, or on board any transport ship, convict ship, merchant vessel, or troop ship, not in commission, the offender may be tried by a regimental or detachment court-martial, and the sentence may be confirmed and carried into execution on the spot by the officer in the immediate command of the troops, provided that the sentence shall not exceed that which a regimental court-martial is competent to award.

Powers of detachment general courts-martial.

12. It shall be lawful for any officer commanding any detachment or portion of troops serving in any place beyond seas where it may be found impracticable to assemble a general court-martial, upon complaint made to him of any offence committed against the property or person of any inhabitant of or resident in any country in which such troops are so serving by any person serving with or belonging to Her Majesty's armies, being under the immediate command of any such officer, to convene a detachment general court-martial, which shall consist of not less than three commis-

sioned officers, for the purpose of trying any such person; and every such court-martial shall have the same powers in regard to sentence upon offenders as are granted by this Act to general courts-martial: Provided always, that no sentence of any such court-martial shall be executed until the general commanding the army of which such detachment or portion forms part shall have approved and confirmed the same.

As to swearing and summoning of witnesses.

13. All general and other courts-martial shall administer an oath to every witness or other person who shall be examined before such court in any matter relating to any proceeding before the same; and every person, as well civil as military, who may be required to give or produce evidence before a court-martial, shall, in the case of general courts-martial, be summoned by the judge advocate general, or his deputy, or the person officiating as judge advocate, and in the case of all other courts-martial by the president of the court; and all persons so summoned and attending as witnesses before any court-martial shall, during their necessary attendance in or on such courts, and in going to and returning from the same, be privileged from arrest, and shall, if unduly arrested, be discharged by the court out of which the writ or process issued by which such witness was arrested, or if such court be not sitting, then by any judge of the superior courts of Westminster or Dublin, or of the Court of Session in Scotland, or of the courts of law in the East or West Indies, or elsewhere, according as the case shall require, upon its being made to appear to such court or judge, by any affidavit in a summary way, that such witness was arrested in going to or attending upon or returning from such court-martial; and all witnesses so duly summoned as aforesaid who shall not attend on such courts, or attending shall refuse to be sworn, or being sworn shall refuse to give evidence, or not produce the documents under their power or control required to be produced by them, or to answer all such questions as the court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in London or Dublin, or in the Court of Session or sheriff or stewart courts in Scotland, or in courts of law in the East or West Indies, or in any of Her Majesty's colonies, garrisons, or dominions in Europe or elsewhere respectively, upon complaint made, in like manner as if such witness, after having been duly summoned or subpœnaed, had neglected to attend upon a trial in any proceeding in the court in which such complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an oath necessary in any case where by law a solemn affirmation may be made instead thereof: It shall be lawful for the president of any court-martial to administer an oath to a shorthand writer to take down, according to the best of his power, the evidence to be given before the court.

Oath to be administered to shorthand writer.

No second trial for the same offence, but

14. No officer or soldier who shall be acquitted or convicted of any offence shall be liable to be tried a second time

by the same or any other court-martial for the same offence; and no finding, opinion, or sentence given by any court-martial, and signed by the president thereof, shall be revised more than once, nor shall any additional evidence in respect of any charge on which the prisoner then stands arraigned be received by the court on any revision. revision may be allowed.

15. If any person subject to this Act shall at any time during the continuance of this Act begin, excite, cause, or join in any mutiny or sedition in any forces belonging to Her Majesty's army, or Her Majesty's royal marines, or shall not use his utmost endeavours to suppress the same, or shall conspire with any other person to cause a mutiny, or coming to the knowledge of any mutiny or intended mutiny shall not, without delay, give information thereof to his commanding officer; or shall hold correspondence with or give advice or intelligence to any rebel or enemy of Her Majesty, either by letters, messages, signs, or tokens, in any manner or way whatsoever; or shall treat or enter into any terms with such rebel or enemy without Her Majesty's licence, or licence of the general or chief commander; or shall misbehave himself before the enemy; or shall shamefully abandon or deliver up any garrison, fortress, post, or guard committed to his charge, or which he shall have been commanded to defend; or shall compel the governor or commanding officer of any garrison, fortress, or post to deliver up to the enemy or to abandon the same; or shall speak words or use any other means to induce such governor or commanding officer, or others to misbehave before the enemy, or shamefully to abandon or deliver up any garrison, fortress, post, or guard committed to their respective charge, or which he or they shall be commanded to defend; or shall desert Her Majesty's service; or shall leave his post before being regularly relieved; or shall sleep on his post; or shall strike or shall use or offer any violence against his superior officer, being in the execution of his office, or shall disobey any lawful command of his superior officer; or who being confined in a military prison shall offer any violence against a visitor or other his superior military officer, being in the execution of his office; all and every person and persons so offending in any of the matters before mentioned, whether such offence be committed within this realm or in any other of Her Majesty's dominions, or in foreign parts, upon land or upon the sea, shall suffer death, or penal servitude, or such other punishment as by a court-martial shall be awarded: Provided always, that any non-commissioned officer or soldier attested for or in pay in any regiment or corps who shall, without having first obtained a regular discharge therefrom, enlist himself in any other regiment or corps, may be deemed to have deserted Her Majesty's service, and shall be liable to be punished accordingly. Crimes punishable with death.

16. In all cases where the punishment of death shall have been awarded by a general court-martial or detachment Judgment of death may be

penal servitude or other punishments.

general court-martial it shall be lawful for Her Majesty, or if in any place out of the United Kingdom or British Isles, for the commanding officer having authority to confirm the sentence, instead of causing such sentence to be carried into execution, to order the offender to be kept in penal servitude for any term not less than five years, or to suffer such term of imprisonment, with or without hard labour, and with or without solitary confinement, as shall seem meet to Her Majesty, or to the officer commanding as aforesaid.

Embezzlement, &c. of stores punishable by penal servitude, or by fine, imprisonment, &c.

17. Any officer or soldier of Her Majesty's army, or any person employed in the War Department, or in any way concerned in the care or distribution of any money, provisions, forage, arms, clothing, ammunition, or other stores belonging to Her Majesty's army or for Her Majesty's use, who shall embezzle, fraudulently misapply, wilfully damage, steal, or receive the same, knowing them to have been stolen, or shall be concerned therein or connive thereat, may be tried for the same by a general court-martial, and sentenced to be kept in penal servitude for any term not less than five years, or to suffer such punishment of fine, imprisonment with or without hard labour, dismissal from Her Majesty's service, reduction to the ranks if a warrant or non-commissioned officer, as such court shall think fit, according to the nature and degree of the offence; and every such offender shall, in addition to any other punishment, make good at his own expense the loss and damage sustained, and in every such case the court is required to ascertain by evidence the amount of such loss or damage, and to declare by their sentence that such amount shall be made good by such offender; and the loss and damage so ascertained as aforesaid shall be a debt to Her Majesty, and may be recovered in any of Her Majesty's courts at Westminster or in Dublin, or the Court of Exchequer in Scotland, or in any court in Her Majesty's colonies, or in India, where the person sentenced by such court-martial shall be resident, after the said judgment shall be confirmed and made known, or the offender, if he shall remain in the service, may be put under stoppages not exceeding one half of his pay and allowances until the amount so ascertained shall be recovered.

As to execution of sentences of penal servitude in the United Kingdom.

18. Whenever Her Majesty shall intend that any sentence of penal servitude heretofore or hereafter passed upon any offender by any court-martial shall be carried into execution for the term specified in such sentence or for any shorter term, or shall be graciously pleased to commute as aforesaid to penal servitude any sentence of death passed by any such court, the sentence, together with Her Majesty's pleasure thereupon, shall be notified in writing by the officer commanding in chief Her Majesty's army in Great Britain and Ireland, or by the adjutant general, or by the Secretary of State for the War Department, to any judge of the Queen's Bench, Common Pleas, or Exchequer in England or Ireland, and thereupon such judge shall make an order for the penal servitude of such

offender in conformity with such notification, and shall do all such other acts consequent upon such notification as such judge is authorised to do by any Act in force touching the penal servitude of other offenders; and it shall be lawful for any judge of the Queen's Bench, Common Pleas, or Exchequer in Ireland to make an order that any such offender convicted in Ireland shall be kept in penal servitude in England; and such order shall be in all respects as effectual in England as though such offender had been convicted in England, and the order had been made by any judge of the Queen's Bench, Common Pleas, or Exchequer in England; and the person in whose custody such offender shall at that time be, and all other persons whatsoever whom the said order may concern, shall be bound to obey and shall be assistant in the execution thereof, and shall be liable to the same punishment for disobedience to or for interrupting the execution of such order as if the order had been made under the authority of any such Act as aforesaid; and every person so ordered to be kept in penal servitude shall be subject to every provision made by law and in force concerning persons under sentence of penal servitude; and from the time when such order of penal servitude shall be made every Act in force touching the escape of felons, or their afterwards returning or being at large without leave, shall apply to such offender, and to all persons aiding and abetting, contriving or assisting in any escape or intended escape or returning without leave of any such offender; and the judge who shall make any order of penal servitude as aforesaid shall direct the notification of Her Majesty's pleasure, and his own order made thereupon, to be filed and kept of record in the office of the Clerk of the Crown of the Court of Queen's Bench; and the said clerk shall have a fee of two shillings and sixpence only for filing the same, and shall, on application, deliver a certificate in writing (not taking more than two shillings and sixpence for the same) to such offender or to any person applying in his or Her Majesty's behalf, showing the christian and surname of such offender, his offence, the place where the court was held before which he was convicted, and the conditions on which the order of penal servitude was made; which certificate shall be sufficient proof of the conviction and sentence of such offender, and also of the terms on which such order for his penal servitude was made, in any court and in any proceeding wherein it may be necessary to inquire into the same.

As to execution of sentences of penal servitude in the colonies, India, or elsewhere out of Her Majesty's dominions.

19. Whenever any sentence of penal servitude heretofore or hereafter passed upon any offender by any court-martial holden in any part of Her Majesty's foreign dominions, or elsewhere beyond the seas, is to be carried into execution for the term specified in such sentence or for any shorter term, or when sentence of death passed by any such court-martial has been or shall as aforesaid be commuted to penal servitude, the same shall be notified by the officer commanding Her Majesty's

forces at the presidency or station where the offender may come or be, or in his absence by the adjutant general for the time being, if in India to the chief judge or any judge of the chief civil court of the presidency or province in which the court-martial shall have been held, and if in any other part of Her Majesty's dominions to the chief justice or some other judge therein, and such judge shall make order for the intermediate custody and penal servitude of such offender; and the offender shall, until handed over in pursuance of any such order to the civil authorities, be detained in military custody, and may be moved in such custody from place to place as circumstances may require; and upon any such order being made it shall be duly notified to the governor of the presidency if in India, or to the governor of the colony if in any of Her Majesty's colonies, or to the person who shall for the time being be exercising the office of governor of such presidency or colony, who, on receipt of such notification, shall cause such offender to be removed or sent to some other colony or place, or to undergo his sentence within the presidency or colony where the offender was so sentenced, or where he may come or be as aforesaid, in obedience to the directions for the removal and treatment of convicts which shall from time to time be transmitted from Her Majesty through one of Her Principal Secretaries of State to such presidency or colony; and such offender shall according to such directions undergo the sentence of penal servitude which shall have been passed upon him either in the presidency or colony in which he has been so sentenced, or in the colony or place to which he has been so removed or sent, and whilst such sentence shall remain in force shall be liable to be imprisoned, and kept to hard labour, and otherwise dealt with under such sentence, in the same manner as if he had been sentenced to be imprisoned with hard labour during the term of his penal servitude by the judgment of a court of competent jurisdiction in such presidency or colony, or in the colony or place to which he has been so removed or sent respectively; and elsewhere out of Her Majesty's dominions the officer commanding shall have power to make an order in writing for the penal servitude or intermediate custody of such offender; and such offender shall be liable by virtue of such order to be imprisoned, and kept to hard labour, and otherwise dealt with under the sentence of the court, in the same manner as if he had been sentenced to be imprisoned with hard labour during the term of his penal servitude by the judgment of a court of competent jurisdiction in the place where he may be ordered to be kept in such intermediate custody, or in the place to which he may be removed for the purpose of undergoing his sentence of penal servitude. If any prisoner shall be brought to any place in the United Kingdom there to undergo any sentence of penal servitude which has been passed upon him by a court-martial held elsewhere, and the judge's or officer's order herein-before

prescribed for his penal servitude and intermediate custody shall not be forthcoming, and the judge advocate general, upon application for that purpose, shall certify that it appears from the original proceedings of the court-martial whereby the prisoner was tried that he has been duly sentenced to penal servitude, and that for anything that appears to the contrary thereon such sentence is still in force against the said prisoner for the period to be stated in such certificate, then it shall be lawful for one of Her Majesty's Principal Secretaries of State, upon consideration of such certificate, to direct, in writing under his hand, that the said prisoner shall be at once removed to a convict prison, and be imprisoned and kept to hard labour according to the sentence stated in such certificate, and thereupon the prisoner shall be removed to such convict prison, and shall be liable to be imprisoned and kept to hard labour, and be otherwise dealt with during the term of his sentence, as if he had been sentenced to a like term of penal servitude by a competent court in the United Kingdom.

A sentence of penal servitude may be commuted for imprisonment, &c.

20. In any case where a sentence of penal servitude shall have been awarded by a general or detachment general court-martial it shall be lawful for Her Majesty, or, if in any place out of the United Kingdom or British Isles, for the officer commanding in chief Her Majesty's forces there serving, instead of causing such sentence to be carried into execution, to order that the offender be imprisoned, with or without hard labour, and with or without solitary confinement, for such term not exceeding two years as shall seem meet to Her Majesty, or to the officers commanding as aforesaid.

Of forfeitures, when combined with penal servitude.

21. Where an award of any forfeiture, or of deprivation of pay or of stoppages of pay, shall have been added to any sentence of penal servitude, it shall be lawful for Her Majesty, or, if in any place out of the United Kingdom or British Isles, for the officer commanding in chief Her Majesty's forces there serving, in the event of the sentence being commuted for imprisonment, to order such award of forfeiture, deprivation of pay, or stoppages of pay to be enforced, mitigated, or remitted, as may be deemed expedient.

Courts-martial may not sentence to corporal punishment in time of peace.

22. No court-martial shall, for any offence whatever committed under this Act during the time of peace within the Queen's dominions, have power to sentence any soldier to corporal punishment; provided, that any court-martial may sentence any soldier to corporal punishment while on active service in the field, or on board any ship not in commission, for mutiny, insubordination, desertion, drunkenness on duty or on the line of march, disgraceful conduct, or any breach of the Articles of War; and no sentence of corporal punishment shall exceed fifty lashes.

Power to inflict corporal punishment and imprisonment.

23. It shall be lawful for any general, district, or garrison court-martial, in addition to any sentence of corporal punishment, to award imprisonment, with or without hard labour,

and with or without solitary confinement, such confinement not exceeding the periods prescribed by the Articles of War.

Power to commute corporal punishment for imprisonment, &c.

24. In all cases in which corporal punishment shall form the whole or part of the sentence awarded by any court-martial it shall be lawful for Her Majesty, or for the general or other officer authorised to confirm the sentences of courts-martial, to commute such corporal punishment to imprisonment for any period not exceeding forty-two days, with or without hard labour, and with or without solitary confinement, or to mitigate such sentence, or instead of such sentence to award imprisonment for any period not exceeding twenty days, with or without hard labour, and with or without solitary confinement and corporal punishment, to be inflicted in the prison, not exceeding twenty-five lashes, and the solitary confinement herein-before mentioned shall in no case exceed seven days at a time, with intervals of not less than seven days between each period of such confinement.

Power to commute a sentence of cashiering.

25. It shall be lawful for Her Majesty in all cases whatsoever, instead of causing a sentence of cashiering to be put in execution, to order the offender to be reprimanded, or, in addition thereto, to suffer such loss of army or regimental rank, or both, as may be deemed expedient.

Marking deserters or soldiers discharged with ignominy.

26. On the first and on every subsequent conviction for desertion the court-martial, in addition to any other punishment, may order the offender to be marked two inches below and one inch in rear of the nipple of the left breast with the letter D, such letter not to be less than an inch long, and to be marked upon the skin with some ink or gunpowder, or other preparation, so as to be clearly seen, and not liable to be obliterated; a court-martial may, upon sentencing any offender to be discharged with ignominy, also sentence him to be marked on the right breast with the letters B C; and the confirming officer may order such sentence, both in respect of the discharge and of the marking, to be carried into effect.

Power of imprisonment by different kinds of courts-martial.

27. A general, garrison, or district court-martial may sentence any soldier to imprisonment, with or without hard labour, and with or without solitary confinement, but such solitary confinement shall not exceed the periods prescribed by the Articles of War; and any regimental or detachment court-martial may sentence any soldier to imprisonment, with or without hard labour, for any period not exceeding forty-two days, and with or without solitary confinement not exceeding the periods prescribed by the Articles of War.

As to imprisonment of offenders already under sentence.

28. Whenever sentence shall be passed by a court-martial on an offender already under sentence either of imprisonment or of penal servitude, the court may award a sentence of imprisonment or penal servitude for the offence for which he is under trial, to commence at the expiration of the imprisonment or penal servitude to which he shall have been so previously sentenced, although the aggregate of the terms of imprisonment or penal servitude respectively may exceed the

term for which any of those punishments could be otherwise awarded. Whenever Her Majesty, or any general or other officer authorised to confirm the sentences of courts-martial, shall commute a sentence of penal servitude or corporal punishment to imprisonment, and the offender whose sentence shall be so commuted shall, at the time of such commutation, be under sentence of imprisonment or penal servitude, it shall be lawful for Her Majesty, or the general or other officer who shall so commute such sentence, to direct that such commuted sentence of imprisonment shall commence at the expiration of the imprisonment or penal servitude to which such prisoner shall have been so previously sentenced, although the aggregate of the term of imprisonment or penal servitude respectively may exceed the term for which any of those punishments could be otherwise awarded.

Regulations as to military prisons.

29. It shall be lawful for the Secretary of State for the War Department, and in India for the Governor General in Council, to set apart any buildings now erected or which may hereafter be erected, or any part or parts thereof, as military prisons, and to declare that any building or any two or more buildings shall be, and thenceforth such building or buildings shall be deemed and taken to be, a military prison; and every military prison which, under the provisions of any former Act of Parliament, has been or which shall be so as aforesaid set apart and declared, shall be deemed to be a public prison within the meaning of this Act; and all and every the powers and authorities with respect to county gaols or houses of correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such military prisons, belong to and may be exercised by the Secretary of State for the War Department, and in India by the Governor General in Council; and it shall be lawful for the said Secretary of State, and in India for the Governor General in Council, from time to time to make, alter, and repeal rules and regulations for the government and superintendence of any such military prison, and of the governor, provost marshal, officers, and servants thereof, and of the offenders confined therein, which said rules and regulations so made as aforesaid shall remain and continue to be in force until the same are altered or repealed by Her Majesty's said Secretary of State for War, or in India by the Governor General in Council; and it shall be lawful for the said Secretary of State, and in India for the Governor General in Council, from time to time to appoint an inspector general and inspectors of military prisons, and a governor, or provost marshal, and all other necessary officers and servants for any such military prison, and, as occasion may arise, to remove the governor or provost marshal, officer or servant of any such military prison; and the general or other officer commanding any district or station within which may be any such military prison, or such general or other officer, and such other person

or persons as the said Secretary of State, and in India the Governor General in Council, may from time to time appoint, shall be a visitor or visitors of such prison; and the said Secretary of State, and in India the Governor General in Council, may authorise any general officer commanding to appoint periodically visitors to any military prison within his command; and the said Secretary of State, and in India the Governor General in Council or the general officer so appointing, shall transmit to the visitor or visitors of every military prison established by his authority a copy of the rules and regulations which are to be observed and enforced, and the same shall accordingly be observed and enforced, within such prison; and every inspector, visitor, and governor of any such military prison shall, subject to such rules and regulations as may from time to time be made by the said Secretary of State, or in India by the Governor General in Council, have and exercise in respect of such prison, and of the governor, officers, and servants thereof, and of the prisoners confined therein, all the powers and authorities, as well in respect of administering oaths as otherwise, which any inspector, visiting justice, or governor of a county gaol or house of correction may respectively exercise as such.

As to the custody of military offenders under sentence of court-martial and in other cases.

30. Every governor, provost marshal, gaoler, or keeper of any public prison or of any gaol or house of correction in any part of Her Majesty's dominions shall receive into his custody any military offender under sentence of imprisonment by a court-martial, upon delivery to him of an order in writing in that behalf from the general commanding in chief, or the adjutant general, or the officer who confirmed the proceedings of the court, or the officer commanding the regiment or corps to which the offender belongs or is attached, which order shall specify the offence of which he shall have been convicted, and the sentence of the court, and the period of imprisonment which he is to undergo, and the day and hour of the day on which he is to be released; and such governor, provost marshal, gaoler, or keeper shall keep such offender in a proper place of confinement, with or without hard labour, and with or without solitary confinement, according to the sentence of the court and during the time specified in the said order, or until he be discharged or delivered over to other custody before the expiration of that time under an order duly made for that purpose; and whenever troops are called out in aid of the civil power, or are stationed in billets, or are on the line of march, every governor, provost marshal, gaoler, or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement, shall receive into his custody any soldier for a period not exceeding seven days, upon delivery to him of an order in writing on that behalf from the officer commanding such troops.

As to the removal or discharge of

31. In the case of a prisoner undergoing imprisonment under the sentence of a court-martial in any public prison other than

the military prisons set apart by the authority of this Act, or in any gaol or house of correction in any part of the United Kingdom, it shall be lawful for the general commanding in chief, or the adjutant general or the officer who confirmed the proceedings of the court, or the officer commanding the district or garrison in which such prisoner may be, to give, as often as occasion may arise, an order in writing directing that the prisoner be discharged, or be delivered over to military custody, whether for the purpose of being removed to some other prison or place in the United Kingdom, there to undergo the remainder or any part of his sentence, or for the purpose of being brought before a court-martial either as a witness or for trial; and in the case of a prisoner undergoing imprisonment or penal servitude under the sentence of a court-martial in any public prison other than such military prison as aforesaid, or in any gaol or house of correction in any part of Her Majesty's dominions other than the United Kingdom, it shall be lawful for the general commanding in chief or the adjutant general of Her Majesty's forces in the case of any such prisoner, and for the Commander-in-Chief in India in the case of any prisoner so confined in any part of Her Majesty's Indian dominions, and for the general commanding in chief in any presidency in India in the case of a prisoner so therein confined, and for the officer commanding in chief or the officer who confirmed the proceedings of the court at any foreign station in the case of a prisoner so there confined, to give as often as occasion may arise an order in writing directing that the prisoner be discharged or be delivered over to military custody, whether for the purpose of being removed to some other prison or place in any part of Her Majesty's dominions, there to undergo the remainder or any part of his sentence, or for the purpose of being brought before a court-martial either as a witness or for trial; and in the case of any prisoner who shall be removed by any such order from any such prison, gaol, or house of correction either within the United Kingdom or elsewhere to some other prison or place either in the United Kingdom or elsewhere, the officer who gave such order shall also give an order in writing directing the governor, provost marshal, gaoler, or keeper of such other prison or place to receive such prisoner into his custody, and specifying the offence of which such prisoner shall have been convicted, and the sentence of the court, and the period of imprisonment which he is to undergo, and the day and the hour on which he is to be released; and such governor, provost marshal, gaoler, or keeper shall keep such offender in a proper place of confinement, with or without hard labour, and with or without solitary confinement, according to the sentence of the court, and during the time specified in the said order, or until he be duly discharged or delivered over to other custody before the expiration of that time under an order duly made for that purpose; and in the case of a prisoner undergoing imprison-

Prisoners in certain cases.

ment or penal servitude under the sentence of a court-martial in any military prison in any part of Her Majesty's dominions, the Secretary of State for the War Department, or the general officer commanding the district or station in which the prison may be situated, shall have the like powers in regard to the discharge and delivery over of such prisoners to military custody as may be lawfully exercised by any of the military authorities above mentioned in respect of any prisoners undergoing confinement as aforesaid in any public prison other than a military prison, or in any gaol or house of correction in any part of Her Majesty's dominions; and such prisoner in any of the cases herein-before mentioned shall accordingly, on the production of any such order as is herein-before mentioned, be discharged or delivered over, as the case may be: Provided always, that the time during which any prisoner under sentence of imprisonment by a court-martial shall be detained in such military custody under such order as aforesaid shall be reckoned as imprisonment under the sentence for whatever purpose such detention shall take place; and such prisoner may during such time, either when on board ship or otherwise, be subjected to such restraint as is necessary for his detention and removal.

Provision for subsistence.

32. The gaoler or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement in any part of Her Majesty's dominions shall diet and supply every soldier imprisoned therein under the sentence of a court-martial or as a deserter with fuel and other necessaries according to the regulations of such place of confinement, and shall receive on account of every soldier, out of the subsistence of such soldier during the period of his imprisonment, in Great Britain and Ireland, one shilling per diem, and in other parts of Her Majesty's dominions sixpence per diem: Provided also, that in all cases where such soldier is sentenced to be discharged from the army on the completion of his term of imprisonment, the Secretary of State for the War Department may cause to be issued out of army votes, upon application in writing, signed by any justice within whose jurisdiction such place of confinement shall be locally situated, together with a copy of the order of commitment, a further sum not exceeding sixpence per diem, and which said sum of one shilling or of sixpence, and the further sum, if any, as the case may be, shall be carried to the credit of the fund from which the expense of such place of confinement is defrayed. In India the expenses incurred under the provisions of this section shall be paid in the same manner as the other expenses of such prison, or as may be provided by the laws or regulations to be made in that behalf.

Expiration of imprisonment of soldiers in common gaols.

33. Every gaoler or keeper of any public prison, gaol, house of correction, or other place of confinement, to whom any notice shall have been given, or who shall have reason to know or believe, that any person in his custody for any offence, civil or military, is a soldier liable to serve Her Majesty on the expiration of his imprisonment, shall forthwith

or as soon as may be, give, if in Great Britain, to the Secretary of State for the War Department, and if in Ireland to the general commanding Her Majesty's forces in Ireland, or if in India to the adjutant general of the army, or to the nearest military authority with whom it may be convenient to communicate, notice of the day and hour on which the imprisonment of such person will expire; and every such gaoler or keeper is hereby required to use his best endeavours to ascertain and report in all cases where practicable the particular regiment or corps, battalion of a regiment or battery of artillery, to which such soldier belongs, and also whether he belongs to the depôt or the head quarters of his regiment; and in the event of his being a recruit who has not joined, that it may be so stated in his report, together with the name of the place where the man enlisted. In all cases where the soldier in custody is under sentence to be discharged from the service on the completion of his term of imprisonment, and the discharge document is in the hands of the gaoler, such gaoler shall not be required to make any report thereof to the Secretary of State for War, or to the military authorities herein-before referred to.

Apprehension of deserters in the United Kingdom.

34. Upon reasonable suspicion that a person is a deserter it shall be lawful for any constable, or if no constable can be immediately met with, then for any officer or soldier in Her Majesty's service, or other person, to apprehend or cause to be apprehended such suspected person, and forthwith to bring him or cause him to be brought before any justice living in or near the place where he was so apprehended and acting for the county, city, district, place, or borough wherein such place is situate, or for the county adjoining such first-mentioned county or such borough; and such justice is hereby authorised and required to inquire whether such suspected person is a deserter, and from time to time to defer the said inquiry and to remand the said suspected person in the manner prescribed by an Act passed in the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-two, section twenty-one, and subject to every provision therein contained; and if it shall appear to the satisfaction of such justice by the testimony of one or more witnesses taken upon oath, or by the confession of such suspected person, confirmed by some corroborative evidence upon oath or by the knowledge of such justice, that such suspected person is a deserter, such justice shall forthwith cause him to be conveyed in civil custody to the head quarters or depôt of the regiment or corps to which he belongs, if stationed within a convenient and easily accessible distance from the place of commitment, or if not so stationed then to the nearest or most convenient public prison (other than a military prison set apart under the authority of this Act) or police station legally provided as a lock-up house for temporary confinement of persons taken into custody, whether such prison or police station be in the county

or borough in which such suspected person was apprehended or in which he was committed, or not; or if the deserter has been apprehended by a party of soldiers of his own regiment or corps in charge of a commissioned officer, such justice may deliver him up to such party, unless the officer shall deem it necessary to have the deserter committed to prison for safe custody; and such justice shall transmit an account of the proceedings, in the form prescribed in the schedule annexed to this Act, to the Secretary of State for the War Department, specifying therein whether such deserter was delivered to his regiment or corps, or to the party of his regiment or corps, in order to his being taken to the head quarters or depôt of his regiment or corps, or whether such deserter was committed to prison, to the end that the person so committed may be removed by an order from the office of the said Secretary of State, and proceeded against according to law; and such justice shall also send to the said Secretary of State a report stating the names of the persons by whom or by or through whose means the deserter was apprehended and secured; and the said Secretary of State shall transmit to such justice an order for the payment to such persons of such sum not exceeding forty shillings as the said Secretary of State shall be satisfied they are entitled to according to the true intent and meaning of this Act; and for such information, commitment, and report as aforesaid the clerk of the said justice shall be entitled to a fee of two shillings and no more; and every gaoler and other person into whose custody any person charged with desertion is committed shall immediately upon the receipt of the person so charged into his custody pay such fee of two shillings, and also upon the production of a receipt from the medical practitioner who, in the absence of a military medical officer, may have been required to examine such suspected person, a fee of two shillings and sixpence, and shall notify the fact to the Secretary of State for the War Department, and transmit also to the said Secretary of State a copy of the commitment, to the end that such Secretary of State may order repayment of such fees; and when any such person shall be apprehended and committed as a deserter in any part of Her Majesty's foreign dominions the justice shall forthwith cause him to be conveyed to some public prison, if the regiment or corps to which he is suspected to belong shall not be in such part, or, if the regiment or corps be in such part, the justice may deliver him into custody at the nearest military post if within reasonable distance, although the regiment to which such person is suspected to belong may not be stationed at such military post; and such justice shall in every case transmit to the general or other officer commanding a descriptive return in the form prescribed in the schedule to this Act annexed, to the end that such person may be removed by order of such officer, and proceeded against according to law; and such descriptive return purporting to be duly made

In Her Majesty's foreign dominions.

and subscribed in accordance with the Act shall, in the absence of proof to the contrary, be deemed sufficient evidence of the facts and matters therein stated: Provided always, that any such person so committed as a deserter in any part of Her Majesty's dominions shall, subject to the provisions hereinafter contained, be liable to be transferred by order of the general or other officer commanding to serve in any regiment or corps or depôt nearest to the place where he shall have been apprehended, or to any other regiment or corps to which it may be desirable that he should be transferred, and shall also be liable after such transfer of service to be tried and punished as a deserter. Transfer of deserters.

35. Every gaoler or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement in any part of Her Majesty's dominions is hereby required to receive and confine therein every deserter who shall be delivered into his custody by any soldier or other person conveying such deserter under lawful authority, on production of the warrant of the justice of the peace on which such deserter shall have been taken, or some order from the office of the Secretary of State for the War Department, which order shall continue in force until the deserter shall have arrived at his destination; and such gaoler or keeper shall be entitled to one *shilling* for the safe custody of the said deserter while halted on the march, and to such subsistence for his maintenance as shall be directed by Her Majesty's regulations. As to the temporary custody of deserters in gaols.

36. Any recruit for Her Majesty's army who, having been attested or received pay other than enlisting money, shall desert before joining the regiment or corps for which he has enlisted, shall, on being apprehended, and committed for such desertion by any justice of the peace upon the testimony of one or more witnesses upon oath, or upon his own confession, forfeit his personal bounty, and be liable to be transferred to any regiment or corps or depôt nearest to the place where he shall have been apprehended, or to any other regiment or corps to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that such deserters thus transferred shall not be liable to other punishment for the offence, or to any other penalty except the forfeiture of their personal bounty. Desertion of recruits prior to joining their regiments or corps.

37. Any person who shall confess himself to be a deserter from Her Majesty's forces, or from the embodied militia, shall be liable to be taken before any two justices of the peace acting for the county, district, city, burgh, or place where any such person shall at any time happen to be when he shall be brought before them, and on proof that any such confession as aforesaid was false shall by the said justices be adjudged to be punished, if in England, as a rogue and vagabond, and if elsewhere by commitment to some prison or house of correction, there to be kept to hard labour for any time not exceeding three calendar months; and if, when such person Fraudulent confession of desertion.

shall be brought before the said justices, it shall be proved to their satisfaction that such confession has been made, but evidence of the truth or falsehood of such confession shall not at that time be forthcoming, such justices within the United Kingdom are hereby required to remand such person in the manner herein-before mentioned, and to transmit a statement of the case and descriptive return to the Secretary of State for the War Department, with a request to be informed whether such person appears to belong or to have belonged to the regiment or corps from which he shall have so confessed himself to have deserted; and a letter from the War Office in reply thereto, referring to such statement, and purporting to be signed by or on behalf of the Secretary of State for the War Department, shall be admissible in evidence against such person, and shall be deemed to be legal evidence of the facts stated therein, and on the receipt thereof the said justices shall forthwith proceed to adjudicate upon the case. In India the authority herein given to two justices may be exercised by one European justice or magistrate.

Furlough in case of sickness.

38. When there shall not be any military officer of rank not inferior to captain, or any adjutant of regular militia, within convenient distance of the place where any non-commissioned officer or soldier on furlough shall be detained by sickness or other casualty rendering necessary any extension of such furlough, it shall be lawful for any justice who shall be satisfied of such necessity to grant an extension of furlough for a period not exceeding one month; and the said justice shall by letter immediately certify such extension and the cause thereof to the commanding officer of the corps or detachment to which such non-commissioned officer or soldier belongs, if known, and if not then to the agent of the regiment or corps, in order that the proper sum may be remitted to such non-commissioned officer or soldier, who shall not during the period of such extension of furlough be liable to be treated as a deserter: *Provided always*, that nothing herein contained shall be construed to exempt any soldier from trial and punishment, according to the provisions of this Act, for any false representation made by him in that behalf to the said justice, or for any breach of discipline committed by him in applying for and obtaining the said extension of furlough.

No person acquitted or convicted by the civil magistrate or by a jury to be tried by a court-martial for the same offence.

39. No person subject to this Act, having been acquitted or convicted of any crime or offence by the civil magistrate, or by the verdict of a jury, shall be liable to be again convicted for the same crime or offence by a court-martial, or to be punished for the same otherwise than by cashiering in the case of a commissioned officer, or in the case of a warrant officer by reduction to an inferior class or to the rank of a private soldier by order of the Commander-in-Chief, or in the case of a non-commissioned officer by reduction to the ranks by order of the Commander-in-Chief or of the colonel, or in the militia by order of the appointed commandant of the regi-

ment or corps; and whenever any officer or soldier shall have been tried by any court of ordinary criminal jurisdiction, the clerk of such court or other officer having the custody of the records of such court, or the deputy of such clerk, shall, if required by the officer commanding the regiment or corps to which such officer or soldier shall belong, transmit to him a certificate setting forth the offence of which the prisoner was convicted, together with the judgment of the court thereon if such officer or soldier shall have been convicted, or of the acquittal of such officer or soldier, and shall be allowed for such certificate a fee of three shillings.

Soldiers liable to be taken out of Her Majesty's service only for felony, misdemeanor, or for debts amounting to 30*l.* and upwards.

40. Any person attested for Her Majesty's army, or serving on the permanent staff of the disembodied militia or volunteers other than as a commissioned officer, shall be liable to be taken out of Her Majesty's service only by process or execution on account of any charge of felony or of misdemeanor, or of any crime or offence other than the misdemeanor of absenting himself from his service, or neglecting to fulfil his contract, or otherwise misconducting himself respecting the same, or the misdemeanor of refusing to comply with an order of justices for the payment of money, or on account of an original debt proved by affidavit of the plaintiff or of some one on his behalf to amount to the value of thirty pounds at the least, over and above all costs of suit, such affidavit to be sworn, without payment of any fee, before some judge of the court out of which process or execution shall issue, or before some person authorised to take affidavits in such court, of which affidavit, when duly filed in such court, a memorandum shall, without fee, be endorsed upon the back of such process, stating the facts sworn to, and the day of filing such affidavit; but no soldier or other person as aforesaid shall be liable by any process whatever to appear before any justice of the peace or other authority whatever, or to be taken out of Her Majesty's service by any writ, summons, warrant, order, judgment, execution, or any process whatsoever issued by or by the authority of any court of law, or any magistrate, justice or justices of the peace, or any other authority whatsoever, for any original debt not amounting to thirty pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left chargeable to any parish, township, or place, or to the common fund of any union, any relation or child which such soldier or person might, if not in Her Majesty's service, be compellable by law to relieve or maintain, or for neglecting to pay to the mother of any bastard child, or to any person who may have been appointed to have the custody of such child, any sum to be paid in pursuance of an order on that behalf, or for the breach of any contract, covenant, agreement, or other engagement whatever by parol or in writing, or for having left or deserted his employer or master, or his contract, work, or labour, or misconducting himself respecting the same, except in the case

Soldiers not liable to be taken out of Her Majesty's service for debts under 30*l.*, or for not maintaining their families, or for breach of contract.

of an apprentice, or of an indentured labourer, as herein-after described; and all summonses, warrants, commitments, indictments, convictions, judgments, and sentences on account of any of the matters for which it is herein declared that a soldier or other person as aforesaid is not liable to be taken out of Her Majesty's service shall be utterly illegal, and null and void, to all intents and purposes; and any judge of any such court may examine into any complaint made by a soldier or by his superior officer, and by warrant under his hand discharge such soldier, without fee, he being shown to have been arrested contrary to the intent of this Act, and shall award reasonable costs to such complainant, who shall have for the recovery thereof the like remedy as would have been applicable to the recovery of any costs which might have been awarded against the complainant in any judgment or execution as aforesaid, or a writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the discharge of any such soldier out of custody shall be ordered thereupon; provided that any plaintiff, upon notice of the cause of action first given in writing to any soldier, or left at his last quarters, may proceed in any action or suit to judgment, and have execution other than against the body or military necessaries or equipments of such soldier; provided also, that nothing herein contained relating to the leaving or deserting a master or employer, or to the breach of any contract, agreement, or engagement, shall apply to persons who shall be really and bonâ fide apprentices, duly bound, under the age of twenty-one years, or to indentured labourers, as herein-after prescribed.

Officers not to be sheriffs or mayors, &c.

41. No person who shall be commissioned and in full pay as an officer shall be capable of being nominated or elected to be sheriff of any county, borough, or other place, or to be mayor, portreeve, alderman, or to hold any office in any municipal corporation in any city, borough, or place in Great Britain or Ireland.

Questions to be put to recruits on enlisting.

42. Every person authorised to enlist recruits shall first ask the person offering to enlist whether he belongs to the militia, and also such other questions as the military authorities may direct to be put to recruits, and shall immediately after giving him enlisting money serve him with a notice in the form set forth in the schedule to this Act annexed.

Recruits, when deemed to be enlisted.

43. Every person who shall receive enlisting money in manner aforesaid, knowing it to be such, shall, subject to the provisions herein-after contained, upon such receipt be deemed to be enlisted as a soldier in Her Majesty's service, and while he shall remain with the recruiting party shall be entitled to be billeted.

When recruits to be taken before a justice.

44. Every person so enlisted as aforesaid shall, within ninety-six hours (any intervening Sunday, Christmas Day, or Good Friday not included) but not sooner than twenty-four hours after such enlistment, appear, together with some person employed in the recruiting service, before a justice of

the peace, not being an officer of the army, for the purpose of being attested as a soldier, or of objecting to his enlistment.

Dissent and relief from enlistment.

45. When a recruit upon appearing before a justice for the purposes aforesaid shall dissent from or object to his enlistment, and shall satisfy the justice that the same was effected in any respect irregularly, he shall forthwith discharge the recruit absolutely, and shall report such discharge to the inspecting field officer of the district, or in the case of a recruit enlisted at the head quarters or depôt of a regiment to the officer commanding the same; but if the recruit so dissenting shall not allege or shall not satisfy the justice that the enlistment was effected irregularly, nevertheless, upon repayment of the enlisting money, and of any sum received by him in respect of pay, and of a further sum of twenty shillings as smart money, he will be entitled to be discharged, and the sum paid by such recruit upon his discharge shall be kept by the justice, and, after deducting therefrom one shilling as the fee for reporting the payment to the Secretary of State for the War Department and to the inspecting field officer of the district, shall be paid over to any person belonging to the recruiting party who may demand the same; and the justice who shall discharge any recruit shall in every case give a certificate thereof, signed with his hand, to the recruit, specifying the cause thereof.

Enlistment for particular branch or arm of service or for general service.

46. Any person may be enlisted for some particular arm or branch of service, and if he shall enlist for cavalry or infantry he shall be at liberty to declare and state the particular regiment of cavalry or infantry into which he desires to enlist, and he shall be attested for the same, and be sent thereto with all convenient speed; but if no such statement or declaration be made by such person at the time of his attestation as aforesaid, then he shall be attested for general service, and it shall be lawful for the military authorities at any time within twelve months after his attestation to attach him to such arm or branch of service, or to such regiment of cavalry or infantry, excluding colonial corps, as to them shall seem to be most fitting and convenient for Her Majesty's service: Provided always, that after the recruit shall have been attached to any regiment he shall not be removed or transferred therefrom, save and except under the provisions of any statute for the time being in force.

Attesting of recruits.

If the recruit on appearing before a justice shall not dissent from his enlistment, or dissenting shall within twenty-four hours return and state that he is unable to pay the sums mentioned in the last section, he shall be attested as follows: the justice, or some person deputed by him, shall read to the recruit the questions set forth in the form contained in the schedule to this Act annexed, cautioning him that if he fraudulently make any false answer thereto he shall be liable to be punished as a rogue and a vagabond; and the answers of the recruits shall be recorded opposite to the said questions, and the justice

shall require the recruit to make and sign the declaration in the said form, and shall then administer to him the oath of allegiance in the said form; and when the recruit shall have signed the said declaration, and taken the said oath, the justice shall attest the same by his signature, and shall deliver to the recruiting officer the declaration so signed and attested; and the fee for such attestation, including the declaration and oath, shall be one shilling and no more; and any recruit shall, if he so wish, be furnished with a certified copy of the above-mentioned declaration by the officer who finally approved of him for the service.

Recruits, until they have been attested or received pay, not triable by court-martial, but in certain cases punishable as rogues and vagabonds.

47. No recruit, unless he shall have been attested or shall have received pay other than enlisting money, shall be liable to be tried by court-martial; but if any recruit previously to his being attested shall by means of any false answer obtain enlistment money, or shall make any false statement in his declaration, or shall refuse to answer any question duly authorised to be put to recruits for the purpose of filling up such declaration, or shall refuse or neglect to go before a justice for the purposes aforesaid, or having dissented from his enlistment shall wilfully omit to return and pay such money as aforesaid, in any of such cases it shall be lawful for any two justices within the United Kingdom, or for any one justice out of the United Kingdom, acting for the county, district, city, burgh, or place where any such recruit shall at any time happen to be, to adjudge such recruit, when he shall be brought before them or him, if in England, to be a rogue and vagabond, and to sentence him to be punished accordingly, and if in Scotland or Ireland, or elsewhere in Her Majesty's dominions, to be imprisoned with hard labour in any prison or house of correction for any period not exceeding three calendar months; and the declaration made by the recruit on his attestation purporting to be made and subscribed in accordance with the schedule to this Act annexed shall, in the absence of proof to the contrary, be deemed sufficient evidence of such recruit having represented the several particulars as stated in such declaration.

Attested recruits triable in some cases either before two justices or before a court-martial.

48. Any recruit who shall have been attested, and who shall afterwards be discovered to have given any wilfully false answer to any question directed to be put to recruits, or shall have made any wilfully false statement in the declaration herein-before mentioned, shall be liable, at the discretion of the proper military authorities, to be proceeded against before two justices in the manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a district or garrison court-martial for the same, and punished in such manner as such court shall direct.

Recruits absconding.

49. If any recruit shall abscond, so that it is not possible immediately to apprehend and bring him before a justice for attestation, the recruiting party shall produce to the justice before whom the recruit ought regularly to have been brought

for that purpose a certificate of the name and place of residence and description of such recruit, and of his having absconded, and shall declare the same to be true; and the justice to whom such certificate shall be produced shall transmit a duplicate thereof to the Secretary of State for the War Department, in order that the same may appear in the "Police Gazette."

As to militiamen enlisting into regular forces.

50. If any man while belonging to a militia regiment shall enlist in and be attested for Her Majesty's army, he shall be liable to be tried before a court-martial on a charge for desertion; but it shall be lawful for the Secretary of State for the War Department to give such general directions as may from time to time appear to him necessary for placing any man who confesses himself to be a militiaman under stoppage of one penny a day of his pay for eighteen calendar months, in lieu of his being tried by court-martial, and in case such militiaman shall have belonged to the Militia Reserve at the time of his attestation for placing him under a further stoppage of one penny a day for two hundred and forty days, and further to give general directions as to the manner in which such stoppages shall be applied, and whether, on making good the same, the man shall be returned to his militia regiment or be deemed to be a soldier in the same manner as if he had not been a militiaman at the time of his attestation: Provided that if the regiment of militia from which the man has deserted be within the United Kingdom, the Secretary of State for the War Department shall not make such latter order without the consent of the commanding officer of such regiment: Provided also, that every soldier who while belonging to a militia regiment enlisted in Her Majesty's army, whether such enlistment took place before or after the passing of the Mutiny Act, 1860, shall reckon service towards the performance of his limited engagement from the date of his attestation: Provided also, that any such soldier shall not reckon service for pension until the day on which his engagement for the militia would have expired; but if any such soldier shall subsequently to his enlistment have rendered long, faithful, or gallant service, the Secretary of State for War may, upon the special recommendation of the Commander-in-Chief, order that he may reckon service for pension from the date of his attestation. If any non-commissioned officer of the volunteer permanent staff enlists in Her Majesty's army he may be tried and punished as a deserter, but if he confesses his desertion the Secretary of State for the War Department, instead of causing him to be tried and punished as a deserter, may cause him to be returned to his service on the volunteer permanent staff, to be there put under stoppages from his pay until he has repaid the amount of any bounty received by him and the expenses attending his enlistment, and also the value of any arms, &c. issued to him while on the volunteer permanent staff, and not duly delivered up by him; or may cause him to be held to his service in Her Majesty's army, with a direction,

if it seems fit, that his time of service therein shall not be reckoned for pension until the time when his engagement on the volunteer permanent staff would have expired; and may further cause him to be put under stoppages of one penny a day of his pay until he has repaid the expense attending his engagement or attestation on the volunteer permanent staff, and also the value of any arms, clothing, or appointments issued to him while on the volunteer permanent staff, and not duly delivered up by him.

Punishment of persons offending against laws relating to enlistment.

51. Every person subject to this Act who shall wilfully act contrary to any of its provisions in any matter relating to the enlisting or attesting of recruits for Her Majesty's army shall be liable to be tried for such offence before a general, district, or garrison court-martial, and to be sentenced to such punishments other than death or penal servitude as such courts may award.

Enlistment and re-enlistment, and transfer to another corps abroad.

52. It shall be lawful for any justice of the peace or person exercising the office of a magistrate within any of Her Majesty's dominions abroad, and in any colony for any other person duly authorised in that behalf by the governor or officer administering the government of such colony, and beyond the limits of Her Majesty's dominions for any British consul or person duly exercising the authority of a British consul, and in Her Majesty's dominions in India for any person duly authorised in that behalf by the Governor General or lieutenant governor or other officer administering the government of any presidency, division, or province, and within the territories of any foreign state in India for the person performing the duties of the office of British resident therein, and for any other person duly authorised in that behalf by the Governor General, to enlist and attest or to re-engage within the local limits of their several authorities any soldiers or persons desirous of enlisting or re-engaging in Her Majesty's army; and it shall be lawful, notwithstanding anything contained in the statute twenty-third and twenty-fourth Victoria, chapter one hundred, for any person so authorised in Her Majesty's dominions in India, or within the territories of any foreign state in India, to enlist and attest within the local limits of his authority any persons desirous of enlisting in Her Majesty's Indian forces. Any such magistrate or person as aforesaid shall have the same powers in that behalf as are by this or any other Act of Parliament given to justices in the United Kingdom for all such purposes of enlistment and attestation; but no such magistrate or other person authorised to enlist and attest as above mentioned shall be a general officer or hold any regimental commission; and all such appointments, past and future, and everything done or to be done under them, shall be valid and of full effect, notwithstanding the expiration of this Act or of any other Act of Parliament; and any person so attested shall be deemed to be an attested soldier.

Soldiers willing may be transferred to succeeding corps.

53. When any corps shall be relieved or disbanded at any station beyond the seas it shall be lawful for any officers thereunto authorised by the officer commanding in chief at such station to receive as transfers as many of the soldiers belonging to the corps leaving the station as shall be willing and fit for service for any corps appointed to remain; and every soldier so transferred is hereby deemed to be discharged from his former corps, and an attested certificate of transfer shall be delivered to the soldier.

Soldiers may be transferred from one service to another.

54. It shall be lawful for the Commander-in-Chief, and on any foreign station for the general or other officer commanding at such station, to direct that any soldier attested for any one branch of the service shall, on the application of his commanding officer, and with his own consent, be transferred to some other branch of the service or to some other regiment or corps in the same branch of the service, either within the United Kingdom or elsewhere; and every soldier so transferred shall be deemed to be discharged from his former corps, and shall have a certificate of transfer delivered to him: Provided always, that any soldier who may have volunteered for the corps of armourer sergeants, or for the army hospital corps, or military store staff corps, or the commissariat staff corps, or the corps to be hereafter organised and called the army service corps, shall be liable, by order of the military authorities above mentioned, to be re-transferred to his former corps, or to any other corps on the station on which he is serving at the time, for misconduct, unfitness, or any other reasonable cause: Provided also, that any staff clerk or other non-commissioned officer or soldier on the staff of the army may be transferred to any corps serving at the station at the time of his removal from staff employ: Provided also, that upon the conviction by court-martial of any soldier of the crime of desertion, the officer commanding in chief Her Majesty's forces may, and if the court-martial has been held at a foreign station the officer commanding in chief Her Majesty's forces at such foreign station may, order such soldier to serve in any regiment or corps.

Re-engagement of soldiers for a further term.

55. Any person who now has or may hereafter have completed at least two thirds of the first term of his enlistment may at any time thereafter, with the approbation of his commanding officer, or other competent military authority, be re-engaged for such a period as shall complete a total period of twenty-one years in Her Majesty's service; and any person who has been a soldier, and who has received his discharge, may also be so re-engaged upon making a declaration, in the form given in the schedule annexed to this Act, before any one of Her Majesty's justices of the peace in Great Britain or Ireland, or if not in Great Britain or Ireland before any person duly appointed to enlist and attest out of Great Britain and Ireland any soldiers or persons desirous of enlisting or re-engaging in Her Majesty's service: Provided always, that in

Boon service to be reckoned.

reckoning service under the original enlistment or re-engagement of a soldier the boon service granted by the general order of the Governor General of India, dated twelfth of October one thousand eight hundred and fifty-nine, shall be reckoned as actual service, and allowed towards pension and discharge: Provided also, that every soldier now serving who belonged to the garrison which defended Lucknow, or to the garrison which defended the Alumbagh, before the advance of any portion of the forces under the late Lord Clyde in one thousand eight hundred and fifty-seven, shall be allowed to reckon one year's service towards the performance of his limited engagement, and also towards pension on discharge: Provided also, that every soldier who volunteered into Her Majesty's army from any embodied regiment of militia between the thirty-first of December one thousand eight hundred and fifty-five and the twenty-first of March one thousand eight hundred and sixty-one inclusive, or from the disembodied militia during the last week of the training of his regiment in the year one thousand eight hundred and fifty-eight, and who had rendered previous to volunteering six months embodied or disembodied militia service, shall be allowed to reckon towards good-conduct pay and pension, and towards the completion of his limited engagement of service in Her Majesty's army, half the embodied service which he had rendered in the militia after attaining the age of eighteen.

Enlistment of negroes.

56. All negroes or persons of colour who, although not born in any of Her Majesty's colonies, territories, or possessions, shall have voluntarily enlisted into Her Majesty's service, shall, while serving, be deemed to be soldiers legally enlisted into Her Majesty's service, and be entitled to all the privileges of natural-born subjects; and all negroes who have been seized and condemned as prize under the Slave Trade Acts, and appointed to serve in Her Majesty's army, shall be deemed to be and shall be entitled to all the advantages of negroes or persons of colour voluntarily enlisted to serve as soldiers in any of Her Majesty's colonial forces.

Apprentice enlisting to be liable to serve after the expiration of his apprenticeship.

57. Any person duly bound as an apprentice in Great Britain or Ireland, or as an indentured labourer in any of Her Majesty's colonies or possessions abroad, who shall enlist as a soldier in Her Majesty's army, and shall falsely state to the magistrate before whom he shall be carried and attested that he is not an apprentice or indentured labourer as aforesaid, shall be deemed guilty of obtaining money under false pretences, if in England or in Ireland, or in the colonies or possessions aforesaid, and of falsehood, fraud, and wilful imposition, if in Scotland, and shall after the expiration of his apprenticeship, or of his indenture as a labourer, whether he shall have been so convicted and punished or not, be liable to serve as a soldier in Her Majesty's army according to the terms of the enlistment, and if on the expiration of his apprenticeship, or of his indenture as a labourer, he shall not deliver himself up to some officer

authorised to receive recruits, such person may be taken as a deserter from Her Majesty's army; and no master shall be entitled to claim an apprentice or an indentured labourer as aforesaid who shall enlist as a soldier in Her Majesty's army, or shall be serving in the embodied militia, unless he shall, within one calendar month after such apprentice or indentured labourer shall have left his service, go before some justice, and take the oath mentioned in the schedule to this Act annexed, and shall produce the certificate of such justice of his having taken such oath, which certificate such justice is required to give in the form in the schedule to this Act annexed, and unless such apprentice shall have been bound, if in England, for the full term of five years, not having been above the age of fourteen when so bound, and, if in Ireland or in the British Isles, for the full term of five years at the least, not having been above the age of sixteen when so bound, and, if in Scotland, for the full term at least of four years, by a regular contract or indenture of apprenticeship, duly extended, signed, and tested, and binding on both parties by the law of Scotland, prior to the period of enlistment, and unless such contract or indenture in Scotland shall, within three months after the commencement of the apprenticeship, and before the period of enlistment, have been produced to a justice of the peace of the county in Scotland wherein the parties reside, and there shall have been indorsed thereon by such justice a certificate or declaration signed by him specifying the date when and the person by whom such contract or indenture was so produced, which certificate or declaration such justice of the peace is hereby required to indorse and sign, and unless such apprentice shall, when claimed by such master, be under twenty-one years of age: Provided always, that any master of an apprentice indentured for the sea service, or of any indentured labourer in Her Majesty's colonies or possessions abroad, shall be entitled to claim and recover him in the form and manner above directed, notwithstanding such apprentice or indentured labourer may have been bound for a less term than five or four years as aforesaid: Provided also, that any master who shall give up the indentures of his apprentice or of his labourer as aforesaid within one month after the enlisting of such apprentice or indentured labourer shall be entitled to receive to his own use so much of the bounty payable to such recruit as shall not have been paid to such recruit before notice given of his being an apprentice or an indentured labourer.

Claims of masters to apprentices.

58. No apprentice or indentured labourer claimed by his master as aforesaid shall be taken from any corps or recruiting party, except under a warrant of a justice residing near, and within whose jurisdiction such apprentice or indentured labourer shall then happen to be, before whom he shall be carried; and such justice shall inquire into the matter upon oath, which oath he is hereby empowered to administer, and shall require the production and proof of the indenture, and

Punishment of apprentices enlisting.

that notice of the said warrant has been given to the commanding officer, and a copy thereof left with some officer or non-commissioned officer of the party, and that such person so enlisted declared that he was no apprentice or indentured labourer; and such justice, if required by such officer or non-commissioned officer, shall commit the offender to the common gaol of the county, division, or place for which such justice is acting, and shall keep the indenture to be produced when required, and shall bind over such person as he may think proper to give evidence against the offender, who shall be tried at the next or at the sessions immediately succeeding the next general or quarter sessions of such county, division, or place, unless the court shall for just cause put off the trial; and the production of the indenture, with the certificate of the justice that the same was proved, shall be sufficient evidence of the said indenture; and every such offender in Scotland may be tried by the judge ordinary in the county or stewartry in such and the like manner as any person may be tried in Scotland for any offence not inferring a capital punishment: Provided always, that any justice not required as aforesaid to commit such apprentice or indentured labourer may deliver him to his master.

Removal of doubts as to attestation of soldiers.

59. No person who shall, for six months either before or after the passing of this Act, have received pay and been borne on the strength and pay list of any regiment or corps, or depôt or battalion of a regiment or corps (of which the last quarterly pay list, if produced, shall be evidence), shall be entitled to claim his discharge on the ground of error or illegality in his enlistment or attestation or re-engagement, or on any other ground whatsoever, but, on the contrary, every such person shall be deemed to have been duly enlisted, attested, or re-engaged, as the case may be; and no person shall be exempted from the provisions of this Act or of the Articles of War for the time being by reason only that the number of the forces for the time being in the service of Her Majesty is either greater or less than the number herein-before mentioned.

Authorised deductions only to be made from the pay of the army.

60. No Secretary of State for the War Department, paymaster general of the army, paymaster, or any other officer whatsoever, or any of their under officers, shall receive any fees or make any deductions whatsoever out of the pay of any officer or soldier in Her Majesty's army, or from their agents, which shall grow due from and after the twenty-fifth day of April one thousand eight hundred and seventy, other than the usual deductions, or such other necessary deductions as shall from time to time be authorised or required by Her Majesty's regulations or Articles of War, or by statute twenty-six and twenty-seven Victoria, chapter sixty-five, section eight (Volunteer Act), or by Her Majesty's order signified by the Secretary of State for the War Department; and every paymaster or other officer who having received any officer's or

soldier's pay shall unlawfully detain the same for the space of one month, or refuse to pay the same when it shall become due, according to the several rates and agreeably to the several regulations established by Her Majesty's orders, shall, upon proof thereof before a court-martial, be discharged from his employment, and shall forfeit one hundred pounds, and the informer, if a soldier, shall, if he demand it, be discharged from any further service.

Suspending operation of certain Acts herein recited.

61. And whereas by petition of right in the third year of King Charles the First it is enacted and declared, that the people of the land are not by the laws to be burdened with the sojourning of soldiers against their wills; and by a clause in an Act of the Parliament of England, made in the thirty-first year of the reign of King Charles the Second, for granting a supply to His Majesty of two hundred and six thousand four hundred and sixty-two pounds seventeen shillings and threepence, for paying and disbanding the forces, it is declared and enacted that no officer, civil or military, nor other person whosoever, shall thenceforth presume to place, quarter, or billet any soldier upon any subject or inhabitant of this realm, of any degree, quality, or profession whatsoever, without his consent, and that it shall be lawful for any subject or inhabitant to refuse to quarter any soldier, notwithstanding any warrant or billeting whatsoever: And whereas by an Act passed in the Parliament of Ireland in the sixth year of the reign of Queen Anne, chapter fourteen, section eight, intituled "An Act to prevent the disorders that may happen "by the marching of soldiers, and providing carriages for the "baggage of soldiers on their march," it was enacted, that no officer, soldier, or trooper in the army, nor the servant of any officer, nor any attendant on the train of artillery, nor any yeoman of the guard or battle-axes, nor any officer commanding the said yeomen, nor any servant of any such officer, should at any time thereafter have, receive, or be allowed any quarters in any part of Ireland, save only during such time or times as he or they should be on their march as in the same Act is before mentioned, or during such time as he or they should be and remain in some seaport town or other place in the neighbourhood of a seaport town in order to be transported, or during such time as there should be any commotion in any part of Ireland, by reason of which emergency the army, or any considerable part thereof, should be commanded to march from one part of Ireland to another: But forasmuch as there is and may be occasion for the marching and quartering of regiments, corps, troops, and companies in several parts of the United Kingdom of Great Britain and Ireland, the said several provisions of the said recited Acts shall be suspended and cease to be of any force or effect during the continuance of this Act.

6 Anne, c. 14. s. 8. (I.)

Certain requirements of 6 Anne, c. 14.

62. And whereas by the eleventh section of the said Act of the sixth year of the reign of Queen Anne, chapter

(I.) as to billeting in Ireland, not now necessary.

fourteen, it is provided and enacted, that no civil magistrate or constable should be obliged to find quarters for or give billets to more or other soldiers than those only whose true christian and surnames should be delivered to him in writing under the hand of the officer desiring quarters or billets for such soldiers at the time such quarters or billets should be desired, and that all such names should be written together and delivered in one piece of paper, signed as aforesaid, and that the christian and surnames of every soldier to be quartered or billeted, together with the name of the person on whom he or they should be billeted or quartered, should be given in writing by the constable or civil officer billeting or quartering such soldier, and be contained in the billet given by such civil officer: And whereas it has been found inconvenient and difficult to comply with all the requirements of the said enactment: It shall not be necessary, so long as this Act shall continue in force, for any officer, upon the occasion of his requiring quarters or billets for any soldiers in Ireland, to deliver to the constable or other person whose duty it shall be to find or give the same any list of the names of the soldiers to be so quartered or billeted; and it shall not be necessary for the constable or other such person as aforesaid to set forth in any billet the name of any soldier to be billeted or quartered, but only the number of the soldiers, or the number of the soldiers and horses respectively, as the case may require, to be billeted or quartered on the person named in the billet, and to whom the same shall be addressed.

How and where troops may be billeted.

63. It shall be lawful for all constables of parishes and places, and other persons specified in this Act, in Great Britain and Ireland, and they are hereby required, to billet the officers and soldiers in Her Majesty's service, and out-pensioners when assembled as a local force by competent authority, and persons receiving pay in Her Majesty's army, and the horses belonging to Her Majesty's cavalry, and also all staff and field officers horses, and all bât and baggage horses belonging to any of Her Majesty's other forces, when on actual service, not exceeding for each officer the number for which forage is or shall be allowed by Her Majesty's regulations, in victualling houses and other houses specified in this Act (taking care in Ireland not to billet less than two men in one house, except only in case of billeting cavalry as specially provided); and they shall be received by the occupiers of the houses in which they are so billeted, and be furnished by such victuallers with proper accommodation in such houses, or if any victualler shall not have sufficient accommodation in the house upon which a soldier is billeted, then in some good and sufficient quarters to be provided by such victualler in the immediate neighbourhood, and in Great Britain shall also be furnished with diet and small beer, and in Great Britain and Ireland with stables, oats, hay, and straw for such horses as aforesaid, paying and allowing for the same the several rates herein-after

provided; and at no time when troops are on a march shall any of them, whether infantry or cavalry, be billeted above one mile from the place mentioned in the route, care being always taken that billets be made out for the less distant houses, in which suitable accommodation can be found, before making out billets for the more distant; and in all places where cavalry shall be billeted in pursuance of this Act, each man and his horse shall be billeted in one and the same house, except in case of necessity; and, except in case of necessity, one man at least shall be billeted where there shall be one or two horses, and two men at least where there shall be four horses, and so in proportion for a greater number; and in no case shall a man and his horse be billeted at a greater distance from each other than one hundred yards; and the constables are hereby required to billet all soldiers and their horses on their march, in the manner required by this Act, upon the occupiers of all houses within one mile of the place mentioned in the route, and whether they be in the same or in a different county, in like manner in every respect as if such houses were all locally situate within such place; provided that nothing herein contained shall be construed to extend to authorise any constable to billet soldiers out of the county to which such constable belongs when the constable of the adjoining county shall be present and shall undertake to billet the due proportion of men in such adjoining county; and no more billets shall at any time be ordered than there are effective soldiers and horses present to be billeted; all which billets, when made out by such constables, shall be delivered into the hands of the commanding officer present; and if any person shall find himself aggrieved by having an undue proportion of soldiers billeted in his house, and shall prefer his complaint, if against a constable or other person not being a justice, to one or more justices, and if against a justice then to two or more justices within whose jurisdiction such soldiers are billeted, such justices respectively shall have power to order such of the soldiers to be removed, and to be billeted upon other persons, as they shall see cause; and when any of Her Majesty's cavalry or any horses as aforesaid shall be billeted upon the occupiers of houses in which officers or soldiers may be quartered by virtue of this Act who shall have no stables, then and in such case, upon the written requisition of the commanding officer of the regiment, corps, troop, or detachment, the constable is hereby required to billet the men and their horses, or horses only, upon some other person or persons who have stables, and who are by this Act liable to have officers and soldiers billeted upon them; and upon complaint being made by the person or persons to whose house or stables the said men or horses shall have been so removed to two or more justices within whose jurisdiction such men or horses shall be so billeted, it shall be lawful for such justices to order a proper allowance to be paid by the person relieved to

the persons receiving such men and horses, or to be applied in furnishing the requisite accommodation; and commanding officers may exchange any man or horse billeted in any place with another man or horse billeted in the same place for the benefit of the service, provided the number of men and horses do not exceed the number at that time billeted on such houses respectively; and the constables are hereby required to billet such men and horses so exchanged accordingly; and it shall be lawful for any justice, at the request of any officer or non-commissioned officer commanding any soldiers requiring billets, to extend any routes or to enlarge the districts within which billets shall be required, in such manner as shall appear to be most convenient to the troops; provided that to prevent or punish all abuses in billeting soldiers, it shall be lawful for any justice within his jurisdiction, by warrant or order under his hand, to require any constable to give him an account in writing of the number of officers and soldiers who shall be quartered by such constables, together with the names of the persons upon whom such officers and soldiers are billeted, stating the street or place where such persons dwell, and the sign, if any, belonging to the houses: Provided always, that no officer shall be compelled or compellable to pay anything for his lodging where he shall be duly billeted.

Billeting the guards in and near Westminster.

64. The officers and soldiers of Her Majesty's Foot Guards shall be billeted within the city and liberties of Westminster and places adjacent, lying in the county of Middlesex (except the city of London) and in the county of Surrey, and in the borough of Southwark, in the same manner and under the same regulations as in other parts of England, in all cases for which particular provision is not made by this Act; and the high constables shall, on receipt of the order for billeting soldiers, deliver precepts to the several constables within their respective divisions, in pursuance of which the said constables shall billet such officers and soldiers equally and proportionably on the houses subjected thereto by this Act; and the said constables shall, at every general sessions of the peace to be holden for the said city and liberties, counties and borough respectively, make and deliver to the justices then in open session assembled, upon oath, which oath the said justices are hereby required to administer, lists, signed by them respectively, of the houses subject by this Act to receive officers and soldiers, together with the names and rank of all officers and soldiers billeted on each respectively, which lists shall remain with the respective clerks of the peace for the inspection of all persons without fee or reward; and such clerk shall forthwith from time to time deliver to any persons who shall require the same true copies of any such lists upon being paid twopence per sheet for the same, each sheet to contain at the least one hundred and fifty words.

Military officers not to act as justices in billeting.

65. No justice having or executing any military office or commission in any part of the United Kingdom shall, directly

or indirectly, be concerned in the billeting or appointing quarters for any soldier in the regiment, corps, troop, or company under the immediate command of such justice, and all warrants, acts, and things made, done, and appointed by such justice for or concerning the same shall be void.

Allowance to innkeepers.

66. The innholder or other person on whom any soldier is billeted in Great Britain shall, if required by such soldier, furnish him for every day of the march, and for a period not exceeding two days when halted at the intermediate place upon the march, and for the day of the arrival at the place of final destination, with one hot meal in each day, the meal to consist of such quantities of diet and small beer as may be fixed by Her Majesty's regulations, not exceeding one pound and a quarter of meat previous to being dressed, one pound of bread, one pound of potatoes or other vegetables, and two pints of small beer, and vinegar, salt, and pepper, and for such meal the innholder or other person furnishing the same shall be paid the sum of tenpence, and twopence halfpenny for a bed; and all innholders and other persons on whom soldiers may be billeted in Great Britain or Ireland, except when on the march in Great Britain and entitled to be furnished with the hot meal as aforesaid, shall furnish such soldiers with a bed and with candles, vinegar, and salt, and shall allow them the use of fire, and the necessary utensils for dressing and eating their meat, and shall be paid in consideration thereof the sum of fourpence per diem for each soldier; and the sum to be paid to the innholder or other person on whom any of the horses belonging to Her Majesty's forces shall be billeted in Great Britain or Ireland for ten pounds of oats, twelve pounds of hay, and eight pounds of straw, shall be one shilling and ninepence per diem for each horse; and every officer or non-commissioned officer commanding a regiment, detachment, or party shall, every four days, or before they shall quit their quarters if they shall not remain so long as four days, settle and discharge the just demands of all victuallers or other persons upon whom such officers, soldiers, or horses are billeted, out of the pay and subsistence of such officers and soldiers, before any part of the said pay or subsistence be distributed to them respectively; and if any such officer or non-commissioned officer shall not pay the same as aforesaid, then, upon complaint, and oath made thereof by any two witnesses before two justices of the peace for the county, riding, division, liberty, city, borough, or place where such quarters were situated, sitting in quarter or petty sessions, the Secretary of State for the War Department is hereby required (upon certificate of the justices before whom such oath was made of the sum due upon such accounts, and the persons to whom the same is owing) to give orders to the agent of the regiment or corps to pay the sums due to such victuallers or other persons as aforesaid, and to charge the same against such

officers; and in case any soldier be suddenly ordered to march, and the respective commanding officers or non-commissioned officers are not enabled to make payment of the sums due for the lodging or victualling of the men and stabling or forage for the horses, every such officer or non-commissioned officer shall, before his departure, make up the account with every person upon whom such soldier may have been billeted, and sign a certificate thereof; which account and certificate shall be transmitted by such officer or non-commissioned officer to the agent of the regiment or corps, who is hereby required to make immediate payment thereof, and to charge the same to the account of such officer or non-commissioned officer.

Interpretation of Act.

Powers and regulations as to billets.

67. All powers and provisions relating to soldiers shall be construed to extend to non-commissioned officers, unless when otherwise provided; and all powers and provisions relating to justices shall be construed to extend to all magistrates authorised to act as such in their respective jurisdictions and to chief magistrates of exclusive local jurisdictions; and all the powers given to and regulations made for the conduct of constables in relation to the billeting of officers and soldiers, and all penalties and forfeitures for any neglect thereof, shall extend to all tithingmen, head boroughs, and such like officers, and to all inspectors or other officers of police, and to high constables and other chief officers and magistrates of cities, towns, villages, hamlets, parishes, and places in England and Ireland, and to all justices of the peace, magistrates of burghs, commissioners of police, and other chief officers and magistrates of cities, towns, villages, parishes, and places in Scotland, who shall act in the execution of this Act in relation to billeting; and all powers and provisions for billeting officers and soldiers in victualling houses shall extend and apply to all inns, hotels, livery stables, alehouses, and to the houses of sellers of wine by retail, whether British or foreign, to be drunk in their own houses, or places thereunto belonging, and to all houses of persons selling brandy, spirits, strong waters, cider, or metheglin, by retail, in Great Britain and Ireland; and in Ireland, when there shall not be found sufficient room in such houses, then to billeting soldiers in such manner as has been heretofore customary: Provided that no officer or soldier shall be billeted in Great Britain in any private houses, or in any canteen held or occupied under the authority of the War Department, or upon persons who keep taverns only, being vintners of the City of London admitted to their freedom of the said company in right of patrimony or apprenticeship, notwithstanding such persons who keep such taverns only have taken out victualling licences, nor in the house of any distiller kept for distilling brandy and strong waters, nor in the house of any shopkeeper whose principal dealing shall be more in other goods and merchandise than in brandy and strong waters, so as such distillers and shopkeepers do not permit tippling in such

Exemptions from billets.

houses, nor in the house of residence in any part of the United Kingdom of any foreign consul duly accredited as such.

Supply of carriages.

68. For the regular provision of carriages for Her Majesty's forces, and their baggage, in their marches in Great Britain and Ireland, all justices of the peace within their several jurisdictions, being duly required thereunto by an order from Her Majesty, or the general of her forces, or other person duly authorised in that behalf, shall, on production to them of such order, or a copy thereof, certified by the commanding officer, by some officer or non-commissioned officer of the regiment or corps so ordered to march, issue a warrant to any constable having authority to act in any place from, through, near, or to which the troop shall be ordered to march, (for each of which warrants the fee of one shilling only shall be paid,) requiring him to provide the carriages, horses, and oxen, and drivers therein mentioned, and allowing sufficient time to do the same, specifying the places from and to which the said carriages shall travel, and the distance between the places, for which distance only so specified payment shall be demanded, and which distance shall not, except in cases of pressing emergency, exceed a day's march prescribed in the order of route, and shall in no cases exceed twenty-five miles; and the constables receiving such warrants shall order such persons as they shall think proper, having carriages, to furnish the requisite supply, who are hereby required to furnish the same accordingly; and when sufficient carriages cannot be procured within the proper jurisdiction, any justice of the next adjoining jurisdiction shall, by a like course of proceeding, supply the deficiency; and in order that the burden of providing carriages may fall equally, and to prevent inconvenience arising from there being no justice near the place where troops may be quartered on the march, any justice residing nearest to such place may cause a list to be made out once in every year of all persons liable to furnish such carriages, and of the number and description of their said carriages, (which list shall at all seasonable hours be open to the inspection of the said persons,) and may by warrant under his hand authorise the constable within his jurisdiction to give orders to provide carriages, without any special warrant for that purpose, which orders shall be valid in all respects; and all orders for such carriages shall be made from such lists in regular rotation, as far as the same can be done.

Rates to be paid for carriages, and regulations relating thereto.

69. In every case in which the whole distance for which any carriage shall be impressed shall be under one mile the rate of a full mile shall be paid; and the rates to be paid for carriages impressed shall be, in Great Britain, for every mile which a waggon with four or more horses, or a wain with six oxen or four oxen and two horses, shall travel, one shilling; and for every mile any waggon with narrow wheels, or any cart with four horses, carrying not less than fifteen hundred-

weight, shall travel, ninepence; and for every mile any other cart or carriage with less than four horses, and not carrying fifteen hundredweight, shall travel, sixpence; and in Ireland, for every hundredweight loaded on any wheel carriage, one halfpenny per mile; and in Great Britain such further rates may be added, not exceeding a total addition per mile of fourpence, threepence, or twopence, to the respective rates of one shilling, ninepence, or sixpence, as may seem reasonable to the justices assembled at general sessions for their respective districts, or to the recorder at the sessions of the peace of any municipal city, borough, or town; and the order of such justices or recorder shall specify the average price of hay and oats at the nearest market town at the time of fixing such additional rates, the period for which the order shall be enforced not exceeding ten days beyond the next general sessions; and no such order shall be valid unless a copy thereof, signed by the presiding magistrate and one other justice, or by the recorder, shall be transmitted to the Secretary of State for the War Department within three days after the making thereof; and also in Great Britain when the day's march shall exceed fifteen miles the justice granting his warrant may fix a further reasonable compensation, not exceeding the usual rate of hire fixed by this Act; and when any additional rates or compensation shall be granted, the justice shall insert in his own hand in the warrant the amount thereof, and the date of the order of sessions, if fixed by sessions, and the warrant shall be given to the officer commanding as his voucher; and the officer or non-commissioned officer demanding carriages by virtue of the warrant of a justice shall, in Great Britain, pay the proper sums into the hands of the constables providing carriages, who shall give receipts for the same on unstamped paper; and in Ireland the officers or non-commissioned officers as aforesaid shall pay the proper sums to the owners or drivers of the carriages, and one third part of such payment shall be made before the carriage be loaded, and all the said payments in Ireland shall be made, if required, in the presence of a justice or constable; and no carriage shall be liable to carry more than thirty hundredweight in Great Britain, and in Ireland no car shall be liable to carry more than six hundredweight, and no dray more than twelve hundredweight; but the owner of such carriages in Ireland consenting to carry a greater weight shall be paid at the same rate for every hundredweight of the said excess; and the owners of such carriages in Ireland shall not be compelled to proceed, though with any less weight, under the sum of threepence a mile for each car and sixpence a mile for each dray; and the loading of such carriages in Ireland shall be first weighed, if required, at the expense of the owner of the carriage, if the same can be done in a reasonable time, without hindrance to Her Majesty's service; provided that a cart with one or more horses for which the furnisher

shall receive ninepence a mile shall be required to carry fifteen hundredweight at the least; and no penalties or forfeitures in any Act relating to highways or turnpike roads in the United Kingdom shall apply to the number of horses and oxen, or weight of loading of the aforesaid carriages, which shall not on that account be stopped or detained; and whenever it shall be necessary to impress carriages for the march of soldiers from Dublin, at least twenty-four hours notice of such march, and in case of emergency as long notice as the case will admit, shall be given to the Lord Mayor of Dublin, who shall summon a proportional number of cars and drays, at his discretion out of the licensed cars and drays and other cars and drays, within the county of the said city, and they shall by turns be employed on this duty at the prices and under the regulations herein-before mentioned; and no country cars, drays, or other carriages coming to markets in Ireland shall be detained or employed against the will of the owners in carrying the baggage of the army on any pretence whatsoever.

As to supply of carriages in cases of emergency, &c.

70. It shall be lawful for Her Majesty, or for the Lord Lieutenant or chief governor of Ireland, by her or their order, distinctly stating that a case of emergency doth exist, signified by the Secretary of State for the War Department, or, if in Ireland, by the Chief Secretary or Under Secretary, or the first clerk in the Military Department, to authorise any general or field officer commanding Her Majesty's forces in any district or place, or the chief acting agent for the supply of stores and provisions, by writing under his hand reciting such order of Her Majesty or Lord Lieutenant or chief governor aforesaid, to require all justices within their several jurisdictions in Great Britain and Ireland to issue their warrants for the provision, not only of waggons, wains, carts, and cars kept by or belonging to any person and for any use whatsoever, but also of saddle horses, coaches, postchaises, chaises, and other four-wheeled carriages kept for hire, and of all horses kept to draw carriages licensed to carry passengers, and also of boats, barges, and other vessels used for the transport of any commodities whatsoever upon any canal or navigable river as shall be mentioned in the said warrants, therein specifying the place and distance to which such carriages or vessels shall go; and on the production of such requisition, or a copy thereof certified by the commanding officer, to such justice, by any officer of the corps ordered to be conveyed, or by any officer of the War Department, such justice shall take all the same proceedings in regard to such additional supply so required on such emergency as he is by this Act required to take for the ordinary provision of carriages; and all provisions whatsoever of this Act as regards the procuring of the ordinary supply of carriages, and the duties of officers and non-commissioned officers, justices, constables, and owners of carriages in that behalf, shall be to all intents and purposes

applicable for the providing and payment, according to the rates of posting or of hire usually paid for such other description of carriages or vessels so required on emergency, according to the length of the journey or voyage in each case, but making no allowance for post horse duty, or turnpike, canal, river, or lock tolls, which duty or tolls are hereby declared not to be demandable for such carriages and vessels while employed in such service or returning therefrom; and it shall be lawful to convey thereon, not only the baggage, provisions, and military stores of such regiment, corps, or detachment, but also the officers, soldiers, servants, women, children, and other persons of and belonging to the same.

Justices empowered to reimburse constables for sums expended by them.

71. It shall be lawful for the justices of the peace assembled at their quarter sessions to direct the treasurer to pay, without fee, out of the public stock of the county or riding, or if such public stock be insufficient then out of moneys which the said justices shall have power to raise for that purpose, in like manner as for county gaols and bridges, such reasonable sums as shall have been expended by the constables within their respective jurisdictions for carriages and vessels, over and above what was or ought to have been paid by the officer requiring the same, regard being had to the season of the year and the condition of the ways by which such carriages and vessels are to pass; and in Scotland such justices shall direct such payments to be made out of the rogue money and assessments directed and authorised to be assessed and levied by an Act of the twentieth and twenty-first years of the reign of Her present Majesty, chapter seventy-two.

Routes in Ireland.

72. It shall be lawful for the Lord Lieutenant or other chief governor for the time being of Ireland to depute, by warrant under his hand and seal, some proper person to sign routes in cases of emergency, for the marching of any of Her Majesty's forces in Ireland, in the name of such Lord Lieutenant or chief governor.

Tolls.

73. All Her Majesty's officers and soldiers, on duty or on their march, and their horses and baggage, and all recruits marching by route, and all prisoners under military escort, and all enrolled pensioners in uniform when called out for training or in aid of the civil power, and all carriages and horses belonging to Her Majesty or employed in her service under the provisions of this Act, or in any of Her Majesty's colonies, when conveying any such persons as aforesaid, or their baggage, or returning from conveying the same, shall be exempted from payment of any duties and tolls on embarking or disembarking from or upon any pier, wharf, quay, or landing place, or in passing along or over any turnpike or other roads or bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or ordinance, order or direction of any colonial legislature or other authority in any of Her Majesty's colonies; provided that nothing herein contained shall exempt any boats, barges,

or other vessels employed in conveying the said persons, horses, baggage, or stores along any canal from payment of tolls in like manner as other boats, barges, and vessels are liable thereto, except when employed in cases of emergency as herein-before enacted.

Ferries.

74. When any soldiers on service have occasion in their march by route to pass regular ferries in Scotland, the officer commanding may at his option pass over with his soldiers as passengers, and shall pay for himself and each soldier one half only of the ordinary rate payable by single persons, or may hire the ferry boat for himself and his party, debarring others for that time, and shall in all such cases pay only half the ordinary rate for such boat.

Marching money on discharge.

75. Every soldier entitled to his discharge shall, if then serving abroad, be sent, if he shall so require, to Great Britain or Ireland free of expense, and shall be entitled to receive marching money from the place of his being landed (or, if discharged at home, shall receive marching money from the place of his discharge,) to the parish or place in which he shall have been originally enlisted, or at which he shall at the time of his discharge decide to take up his residence, such place not being at a greater distance from the place of his discharge than the place of his original enlistment.

Ordinary course of criminal justice not to be interfered with.

76. Nothing in this Act contained shall be construed to extend to exempt any officer or soldier from being proceeded against by the ordinary course of law, when accused of felony, or of misdemeanor, or of any crime or offence other than the misdemeanors and offences herein-before mentioned; and if any commanding officer shall neglect or refuse, on application being made to him for that purpose, to deliver over to the civil magistrate any officer or soldier under his command, or shall wilfully obstruct, neglect, or refuse to assist the officers of justice in apprehending any officer or soldier under his command, so accused as aforesaid, such commanding officer shall, upon conviction thereof in any of Her Majesty's superior courts at Westminster, Dublin, or Edinburgh, or in any court of record in India, be deemed to be thereupon cashiered, and shall be thenceforth utterly disabled to have or hold any civil or military office or employment in the United Kingdom of Great Britain and Ireland or in Her Majesty's service; and a certificate of such conviction, containing the substance and effect of the indictment only, omitting the formal part, with the copy of the entry of the judgment of the court thereon, shall be transmitted to the judge advocate general in London.

Punishment of officers obstructing civil justice.

Penalty for disobedience by agents.

77. For enforcing a prompt observance of the rules and orders for the due appropriation of the public funds applicable to army services, and in order that a true and regular account may be kept and rendered by the agents for the several corps, the said agents are hereby required to observe such orders as shall from time to time be given by Her Majesty under Her Sign Manual, or by the Secretary of State for the War Depart-

ment, or by Her Majesty's Lord Lieutenant or Chief Governor of Ireland, or by the Lord Treasurer or the Commissioners of Her Majesty's Treasury; and if any person, being or having been an agent, shall refuse or neglect to comply with such orders in relation to his duty as agent, or shall unlawfully withhold or detain the pay of any officer or soldier for a longer period than the space of one month after the receipt thereof, he shall for the first offence forfeit the sum of one hundred pounds, and, if still an agent, for the second offence be discharged from his employment as an army agent, and be utterly disabled to have or hold such employment thereafter, or, if he have ceased to be an army agent, shall for the second and every succeeding offence forfeit the sum of two hundred pounds.

Penalty on trafficking in commissions.

78. Every person, not being an authorised army agent, who shall negotiate or act as agent for or in relation to the purchase, sale, or exchange of any commission in Her Majesty's army, shall forfeit for every such offence the sum of one hundred pounds; and every person, whether authorised as an army agent or not, who shall receive any money or reward in respect of any such purchase, sale, or exchange, or who shall negotiate or receive for any purpose whatsoever any money or consideration where no price is allowed by Her Majesty's regulations, or any money or consideration exceeding the amount so allowed, shall forfeit one hundred pounds, and treble the value of the consideration where the commission is not allowed to be sold, or treble the excess of such consideration beyond the regular price.

Penalty for procuring false musters.

79. Every person, not having any military commission, who shall give or procure to be given any untrue certificate, whereby to excuse any soldier for his absence from any muster or any other service which he ought to attend or perform, or who shall directly or indirectly cause to be taken any money or gratuity for mustering any soldiers, or for signing any muster rolls or duplicates thereof, shall forfeit for every such offence the sum of fifty pounds; and any person who shall falsely be mustered, or offer himself to be mustered, or lend or furnish any horse to be falsely mustered, shall, upon conviction before some justice of the peace residing near the place where such muster shall be made, forfeit for every such offence the sum of twenty pounds; and the informer, if he belongs to Her Majesty's service, shall, if he demand it, be forthwith discharged.

Penalty on unlawful recruiting.

80. Every person (except such person or persons as shall be authorised by beating order under the hand of the Secretary of State for the War Department) who shall cause to be advertised, posted, or dispersed bills for the purpose of procuring recruits or substitutes for the line, embodied militia, or Her Majesty's Indian forces, or shall open or keep any house, place of rendezvous, or office, or receive any person therein under such bill or advertisement, as connected with the recruiting service, or shall directly or indirectly interfere therewith,

without permission in writing from the adjutant general, or from the Secretary of State in Council of India, (as the case may be,) shall forfeit for every such offence a sum not exceeding twenty pounds.

Penalty for inducing soldiers to desert.

81. Any person who shall in any part of Her Majesty's dominions, or by any means whatsoever, directly or indirectly, procure any soldier to desert, or attempt to procure or persuade any soldier to desert, and any person who, knowing that any soldier is about to desert, shall aid or assist him in deserting, or, knowing any soldier to be a deserter, shall conceal such deserter, or aid or assist such deserter in concealing himself, or aid or assist in his rescue, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof before any two justices acting for the county, district, city, burgh, or place where any such offender shall at any time happen to be, be liable to be committed to the common gaol or house of correction, there to be imprisoned, with or without hard labour, for such term not exceeding six calendar months as the convicting justices shall think fit.

Penalty for forcible entry in pursuit of deserters without warrant.

82. Any officer or soldier who shall, in pursuit of any deserter, forcibly enter into or break open any dwelling house or outhouse, or shall give any order under which any dwelling house or outhouse shall be forcibly entered into or broken open, without a warrant from one or more justices of the peace, shall, on conviction thereof before two justices of the peace, forfeit a sum not exceeding twenty pounds.

Penalties on aiding escape or attempt to escape of prisoners, and on breach of prison regulations.

83. If any person shall convey or cause to be conveyed into any military prison appointed to be a public prison under this Act any arms, tools, or instruments, or any mask or other disguise, in order to facilitate the escape of any prisoner, or shall by any means whatever aid and assist any prisoner to escape or in attempting to escape from such prison, whether an escape be actually made or not, such person shall be deemed guilty of felony, and upon being convicted thereof shall be kept to penal servitude for any term not less than five years and not exceeding seven years, or be imprisoned, with or without hard labour, for any term not exceeding two years; and if any person shall bring or attempt to bring into such prison, in contravention of the existing rules thereof, any spirituous or fermented liquor, he shall for every such offence be liable to a penalty, not exceeding twenty pounds and not less than ten pounds, or to be imprisoned, with or without hard labour, for any time not exceeding three calendar months; and if any person shall bring into such prison, to or for any prisoner, without the knowledge of the governor, any money, clothing, provisions, tobacco, letters, papers, or any other articles not allowed by the rules of the prison to be in the possession of a prisoner, or shall throw into the said prison any such articles, or shall by desire of any prisoner, without the sanction of the governor, carry out of the prison any of the articles aforesaid, he shall for every such offence be liable

to a penalty not exceeding five pounds, or to be imprisoned, either with or without hard labour, for any time not exceeding one calendar month; and if any person shall assault or violently resist any officer of such prison in the execution of his duty, or shall aid or excite any person so to assault or resist any such officer, he shall for every such offence be liable to a penalty not exceeding five pounds, or to be imprisoned, with or without hard labour, for any time not exceeding one calendar month, or, if the offender be a soldier already under sentence of imprisonment, he shall be liable for every such offence, upon conviction thereof by a board of not less than three of the visitors of the prison, to be imprisoned, either with or without hard labour, for any time not exceeding six calendar months, in addition to his original sentence, or to be subjected to corporal punishment not exceeding fifty lashes, or upon conviction thereof by a single visitor to be imprisoned, with or without hard labour, for any time not exceeding seventy-two hours, in addition to his original sentence, or to be subjected to corporal punishment not exceeding twenty-five lashes; or if such soldier shall, within forty-eight hours of the expiration of his original or of any additional sentence, be guilty of any offence against the rules of the prison, he may for every such offence, on conviction thereof by a board or by a single visitor, be ordered to be kept in prison for a period not exceeding seventy-two hours either in a dark cell or in a light cell, and with or without hard labour, on a bread and water diet, or otherwise; and all the provisions of any Act or Acts of Parliament for the regulation or better ordering of gaols, houses of correction, or prisons in Great Britain shall be deemed to apply to all military prisons so far as any such provision relates to such offences; and it shall be lawful for the governor, provost marshal, officer, or servant of any military prison to use and exercise all the powers and authorities given by any such Act to the gaoler, keeper, or turnkey of any prison, or to his or their assistants, to apprehend or to cause offenders to be apprehended, in order to their being taken before a justice or justices of the peace; and all the powers and authorities given by any such Act to any justice or justices of the peace to convict offenders in any of the above cases, together with the forms of convictions contained in any such Act, shall be applicable to the like offences when committed in respect of military prisons; and all the provisions contained in any such Act relating to suits and actions prosecuted against any person for anything done in pursuance of such Act shall be deemed to apply to all suits and actions prosecuted against any person acting in pursuance of such Act in respect of military prisons.

Certain provisions of Acts for regulating gaols to apply to military prisons.

Penalty on keepers of prisons for refusing to confine, &c.

84. Any governor, provost marshal, gaoler, or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any military offender in the

manner herein-before prescribed, shall forfeit for every such offence the sum of one hundred pounds. military offenders.

85. Any person who shall knowingly detain, buy, exchange, or receive from any soldier or deserter or any other person acting for or on his behalf, on any pretence whatsoever, or who shall solicit or entice any soldier, or shall be employed by any soldier, knowing him to be such, to sell any arms, ammunition, medals for good conduct or for distinguishment or other service, clothes, or military furniture, or any provisions, or any sheets or other articles used in barracks provided under barrack regulations, or regimental necessaries, or any article of forage provided for any horses belonging to Her Majesty's service, or who shall have in his or her possession or keeping any such arms, ammunition, medals, clothes, furniture, provisions, spirits, articles, necessaries, or forage, and shall not give a satisfactory account how he or she came by the same, or shall change the colour of any clothes as aforesaid, shall forfeit for every such offence any sum not exceeding twenty pounds, together with treble the value of all or any of the several articles of which such offender shall so become or be possessed; and if any person having been so convicted shall afterwards be guilty of any such offence, he shall for every such offence forfeit any sum not exceeding twenty pounds but not less than five pounds, and the treble value of all or any of the several articles of which such offender shall have so become possessed, and shall in addition to such forfeiture be committed to the common gaol or house of correction, there to be imprisoned, with or without hard labour, for such term, not exceeding six calendar months, as the convicting justice or justices shall think fit; and upon any information against any person for a second or any subsequent offence, a copy of the former conviction, certified by the proper officer having the care or custody of such conviction, or any copy of the same proved to be a true copy, shall be sufficient evidence to prove such former conviction; and if any credible person shall prove on oath before a justice of the peace, or person exercising like authority according to the laws of the part of Her Majesty's dominions in which the offence shall be committed, a reasonable cause to suspect that any person has in his or her possession, or on his or her premises, any property of the description herein-before described, on or with respect to which any such offence shall have been committed, such justice may grant a warrant to search for such property as in the case of stolen goods; and if upon such search any such property shall be found, the same shall and may be seized by the officer charged with the execution of such warrant, who shall bring the offender in whose possession the same shall be found before the same or any other justice of the peace, to be dealt with according to law: Provided always, that it shall be lawful for the legislature of any of Her Majesty's foreign dominions, on the recommendation of the officer or officers for the time being administering the Penalty on purchasing soldiers necessaries, stores, &c.

government thereof, but not otherwise, to make provision by law for reducing such pecuniary penalty, if not exceeding twenty pounds, to such amount as may to such legislature appear to be better adapted to the ability and pecuniary means of Her Majesty's subjects and others inhabiting the same, which reduced penalty shall be sued for and recovered in such and the same manner as the full penalty hereby imposed: Provided also, that it shall be competent to Her Majesty, or to the person or persons administering the government of any such foreign dominions as aforesaid, to exercise, in respect of the laws so to be passed as aforesaid, all such powers and authorities as are by law vested in Her Majesty or in any such officer or officers as aforesaid in respect of any other law made or enacted by any such legislature.

Penalties on civil subjects offending against the laws relating to billets.

86. If any constable or other person who by virtue of this Act shall be employed in billeting any officers or soldiers in any part of the United Kingdom shall presume to billet any such officer or soldier in any house not within the meaning of this Act, without the consent of the owner or occupier thereof; or shall neglect or refuse to billet any officer or soldier on duty, when thereunto required, in such manner as is by this Act directed, provided sufficient notice be given before the arrival of such troops; or shall receive, demand, or agree for any money or reward whatsoever, in order to excuse any person from receiving such officer or soldier; or shall quarter any of the wives, children, men or maid servants of any officers or soldiers, in any such houses, against the consent of the occupiers; or shall neglect or refuse to execute such warrants of the justices as shall be directed to him for providing carriages, horses, or vessels, or shall demand more than the legal rates for the same; or if any person ordered by any constable in manner herein-before directed to provide carriages, horses, or vessels shall refuse or neglect to provide the same according to the orders of such constable, or shall do any act or thing by which the execution of any warrants for providing carriages, horses, or vessels shall be hindered; or if any constable shall neglect to deliver in to the justices at quarter sessions lists of officers and soldiers of the foot guards quartered according to the provisions of this Act, or shall wilfully cause to be delivered defective lists of the same; or if any person liable by this Act to have any officer or soldier quartered upon him shall refuse to receive and to afford proper accommodation or diet in the house in which such officer or soldier is quartered, and to furnish the several things directed to be furnished to officers and soldiers, or shall neglect or refuse to furnish good and sufficient stables, together with good and sufficient oats, hay, and straw, in Great Britain and Ireland for each horse, in such quantities and at such rates as herein-before provided; or if any innkeeper or victualler not having good and sufficient stables shall refuse to pay over to the person or persons who may provide stabling such allowance by way of

compensation as shall be directed by any justice of the peace, or shall pay any sum or sums of money to any soldier on the march in lieu of furnishing in kind the diet and small beer to which such soldier is entitled; or if any toll collector shall demand and receive toll from any of Her Majesty's officers or soldiers, on duty or on their march, for themselves or for their horses, or from any recruits marching by route, or from any prisoners under military escort, or from any enrolled pensioners in uniform when called out for training or in aid of the civil power, or for any carriages or horses belonging to Her Majesty, or employed in her service under the provisions of this Act, or in any of Her Majesty's colonies, when conveying persons or baggage or returning therefrom, every such constable, victualler, toll-keeper, or other person respectively shall forfeit for every such offence, neglect, or refusal any sum not exceeding five pounds nor less than forty shillings; and if any person shall personate or represent himself to be a soldier or a recruit, with the view of fraudulently obtaining a billet, or money in lieu thereof, he shall for every such offence forfeit any sum not exceeding five pounds nor less than twenty shillings.

On toll collectors demanding toll from officers, soldiers, or for carriages; and on persons personating soldiers, &c.

87. If any military officer shall take upon himself to quarter soldiers otherwise than is limited and allowed by this Act, or shall use or offer any menace or compulsion to or upon any mayor, constable, or other civil officer, tending to deter and discourage any of them from performing any part of their duty under this Act, or tending to induce any of them to do anything contrary to their said duty, such officer shall for every such offence (being thereof convicted before any two or more justices of the county by the oath of two credible witnesses) be deemed and taken to be thereupon cashiered, and shall be utterly disabled to hold any military employment in Her Majesty's service; provided that a certificate of such conviction shall be transmitted by one of the said justices to the Judge Advocate in London, who is hereby required to certify the same to the Commander-in-Chief and Secretary of State for the War Department, and that the said conviction be affirmed at some quarter sessions of the peace of the said county held next after the expiration of three months after such certificate of the justice shall have been transmitted as aforesaid; and if any military officer shall take, or knowingly suffer to be taken, from any person, any money or reward for excusing the quartering of officers or soldiers, or shall billet any of the wives, children, men or maid servants of any officer or soldier, in any house, against the consent of the occupier, he shall, upon being convicted thereof before a general court-martial, be cashiered; and if any officer shall constrain any carriage to travel beyond the distance specified in the justice's warrant, or shall not discharge the same in due time for their return home on the same day, if it be practicable, except in the case of emergency for which the justice shall have given licence, or shall compel the driver of any carriage to take up any soldier or servant

Penalties on the military offending against the laws relating to billets.

(except such as are sick) or any woman to ride therein, except in the cases of emergency as aforesaid, or shall force any constable, by threatening words, to provide saddle horses for himself or servants, or shall force horses from their owners, or in Ireland shall force the owner to take any loading until the same shall be first duly weighed, if the same can be done within reasonable time, or shall, contrary to the will of the owner or his servant, permit any person whatsoever to put any greater loads upon any carriage than is directed by this Act, such officer shall forfeit for every offence any sum not exceeding five pounds nor less than forty shillings.

Penalty on killing game without leave.

88. For the better preservation of game and fish in or near places where any officers shall at any time be quartered, be it enacted, that every officer who shall, without leave in writing from the person or persons entitled to grant such leave, take, kill, or destroy any game or fish in the United Kingdom of Great Britain and Ireland, shall for every such offence forfeit the sum of five pounds.

Form of actions at law.

89. Any action which shall be brought against any person for anything to be done in pursuance of this Act shall be brought within six calendar months after the doing thereof, and it shall be lawful for every such person to plead thereunto the general issue Not Guilty, and to give all special matter in evidence to the jury; and if the verdict shall be for the defendant in any such action, or the plaintiff therein become nonsuited, or suffer any discontinuance thereof, or if in Scotland such court shall see fit to assoilzie the defendant or dismiss the complaint, the court in which the said matter shall be tried shall allow unto the defendant treble costs, for which the said defendant shall have the like remedy as in other cases where costs are by law given to defendants; and every action against any person for anything done in pursuance of this Act, or against any member or minister of a court-martial in respect of any sentence of such court, or of anything done by virtue or in pursuance of such sentence, shall be brought in some one of the courts of record at Westminster, or in Dublin, or in India, or in the Court of Session in Scotland, and in no other court whatsoever.

Recovery of penalties.

90. All offences for which any penalties and forfeitures are by this Act imposed not exceeding twenty pounds, over and above any forfeiture of value or treble value, shall and may be determined, and such penalties and forfeitures and forfeiture of value or treble value recovered, in every part of the United Kingdom, by and before one or more justice or justices of the peace, under the provisions of an Act passed in the eleventh and twelfth years of the reign of Her Majesty Queen Victoria, intituled "An Act to facilitate the performance of the duties "of Justices of the Peace out of Sessions, within England "and Wales, with respect to summary convictions and orders:" Provided always, that in all cases in which there shall not be sufficient goods whereon any penalty or forfeiture can be

11 & 12 Vict. c. 43.

levied, the offender may be committed and imprisoned for any time not exceeding six calendar months; which said recited Act shall be used and applied, in Scotland and in Ireland, for the recovery of all such penalties and forfeitures, as fully to all intents as if the said recited Act had extended to Scotland and Ireland, anything in the said recited Act, or in an Act passed in the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to consolidate and amend the Acts regulating the proceedings at Petty Sessions, and the duties of Justices of the Peace out of Quarter Sessions, in Ireland," to the contrary notwithstanding; and all such offences committed in the British Isles or in any of Her Majesty's dominions beyond the seas may be determined, and the penalties and forfeitures and forfeiture of value or treble value recovered, before any justices of the peace or persons exercising like authority according to the laws of the part of Her Majesty's dominions in which the offence shall be committed; and all penalties and forfeitures by this Act imposed exceeding twenty pounds shall be recovered by action in some of the courts of record at Westminster, or in Dublin, or in India, or in the Court of Session in Scotland, and in no other court in the United Kingdom, and may be recovered in the British Isles, or in any other parts of Her Majesty's dominions, in any of the royal or superior courts of such isles or other parts of Her Majesty's dominions. 14 & 15 Vict. c. 93.

91. One moiety of every penalty, not including any treble value of any articles, adjudged or recovered under the provisions of this Act, shall go to the person who shall inform or sue for the same, and the remainder of the penalty, together with the treble value of any articles, or, where the offence shall be proved by the person who shall inform, the whole of the penalty, shall be paid, in the United Kingdom, to the general agent for the recruiting service in London, and in India to the military secretary of the government of the presidency to which the court by whom the penalty shall be adjudicated shall be subject, and elsewhere in Her Majesty's dominions to the local military accountant, to be at the disposal of the Secretary of State for the War Department, anything in an Act passed in the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled "An Act to provide for the regulation of Municipal Corporations in England and Wales," or in any other Act or Acts, to the contrary notwithstanding. Every justice or court adjudging any penalty under this Act shall report the same immediately, if in the United Kingdom, to the said Secretary of State, if in India to the said military secretary, and if elsewhere in Her Majesty's dominions to the general or other officer commanding at the station. Appropriation of penalties. 5 & 6 W. 4. c. 76.

92. Any justice in the United Kingdom within whose jurisdiction any soldier in Her Majesty's army, or on the permanent staff of the militia, having a wife or child, shall be Mode of recording a soldier's settlement.

billeted, may summon such soldier before him in the place where he is billeted, (which summons he is hereby directed to obey,) and take his examination in writing, upon oath, touching the place of his last legal settlement, and such justice shall give an attested copy of such examination to the person examined, to be by him delivered to his commanding officer, to be produced when required; which said examination and such attested copy thereof shall be at any time admitted as good and legal evidence of such last legal settlement before any justices or at any general or quarter sessions, although such soldier be dead or absent from the kingdom; provided that in case any soldier shall be again summoned to make oath as aforesaid, then, on such examination or such attested copy thereof being produced by him or by any other person on his behalf, such soldier shall not be obliged to take any other oath with regard to his legal settlement, but shall leave a copy of such examination, or a copy of such attested copy of examination, if required; provided also, that when no such examination shall have been required, the statement made by the recruit on his attestation of his place of birth shall be taken to be his last place of settlement until legally disproved.

Licences of canteens.

93. When any person shall hold any canteen under proper authority of the War Department, it shall be lawful for any two justices within their respective jurisdictions to grant or transfer any beer, wine, or spirit licence to such persons, without regard to time of year or to the notices or certificates required by any Act in respect of such licences; and the commissioners of excise, or their proper officers within their respective districts, shall also grant such licences as aforesaid; and such persons so holding canteens, and having such licences, may sell therein victuals and exciseable liquors, as empowered by such excise licence, without being subject to any penalty or forfeiture.

Attestation of accounts.

94. All muster rolls and accounts and pay and pension lists which are required to be verified by declaration shall be so verified and attested free of stamp duty, and without fee or reward paid for such declaration or attestation.

Commissaries, &c. to attest their accounts.

95. All commissaries, regimental paymasters, and all other accountants for military services, storekeepers, and barrack masters, upon making up their accounts, and all commissaries and storekeepers upon returning from any foreign service, shall severally make the respective declarations described in the schedule to this Act annexed; which declarations, if made in any part of the United Kingdom, shall be made before some justice, or other person authorised to administer oaths and declarations, and if made on foreign service shall be made before the officer commanding in chief, or the second in command, or the quartermaster or deputy quartermaster general or any assistant quartermaster general of the army, who shall respectively have power to administer and receive the same.

Administration of oaths.

96. All oaths and declarations which are authorised and required by this Act may be administered (unless where otherwise provided) by any justice of the peace, or other person having authority to administer oaths and declarations; and any person taking a false oath or declaration where an oath or declaration is authorised or required by this Act shall be deemed guilty of wilful and corrupt perjury, or of wilfully making a false declaration, and being thereof duly convicted shall be liable to such pains and penalties as by law any person convicted of wilful and corrupt perjury is subject and liable to; and every commissioned officer convicted before a general court-martial of perjury, or of wilfully making a false declaration, shall be cashiered, and every soldier or other person amenable to the provisions of this Act found guilty thereof by a general, district, or garrison court-martial shall be punished at the discretion of such court. In India, in all cases where any oath is hereby required to be taken, or any person is hereby required to be sworn, a solemn declaration or affirmation may be substituted, if by the laws for the time being in force in India such declaration or affirmation would be allowed to be substituted in the place of an oath, in case the party were about to depose as a witness in a civil action in any of the supreme courts at the presidencies; and any person wilfully and knowingly giving false testimony on oath or solemn declaration or affirmation in any case wherein such oath or solemn declaration or affirmation shall have been made for the purpose of this Act, or any proceedings under this Act, shall be deemed guilty of wilful and corrupt perjury, and, being duly convicted thereof before a court-martial or otherwise, shall be liable to such pains and penalties as by any law in force in England, or by any law in force in India, any persons convicted of wilful and corrupt perjury are subject and liable to.

Perjury.

Offences against former Mutiny Acts and Articles of War.

97. All crimes and offences which have been committed against any former Act for punishing mutiny and desertion, and for the better payment of the army and their quarters, or against any Act for punishing mutiny and desertion of officers and soldiers in the service of the East India Company, or against any of the Articles of War made and established by virtue of either of the same, may, during the continuance of this Act, be tried and punished in like manner as if they had been committed against this Act; and every warrant for holding any court-martial under any such former Act shall remain in full force, and all proceedings of courts-martial convened and held under any such warrant shall be continued, notwithstanding the expiration of such Act: Provided always, that no person shall be liable to be tried or punished for any offence against any of the said Acts or Articles of War which shall appear to have been committed more than three years before the date of the warrant for such trial, unless the person accused, by reason of his having absented himself, or of some

other manifest impediment, shall not have been amenable to justice within that period, in which case such person shall be liable to be tried at any time not exceeding two years after the impediment shall have ceased.

Officers and soldiers to conform to 26 & 27 Vict. c. 57., &c.

98. It shall be the duty of all officers and soldiers to observe and conform to the provisions contained in "The Regimental Debts Act, 1863," and in the regulations for the better execution of the purposes of the said Act prescribed from time to time by warrant under the Royal Sign Manual.

Where troops are serving beyond the jurisdiction of the courts of requests, &c., actions of debt not exceeding 400 rupees to be cognizable by a military court.

99. In all places in India where any body of Her Majesty's forces may be serving situate beyond the jurisdiction of any court of small causes established by or under the authority of the Governor General of India in Council, actions of debt and all personal actions against officers or against persons licensed to act as sutlers, or other persons amenable to the provisions of this Act not being soldiers, shall be cognizable before a court of requests composed of military officers, and not elsewhere, provided the value in question shall not exceed four hundred rupees, and that the defendant was a person of the above description when the cause of action arose, which court the commanding officer of any camp, garrison, cantonment, or military post is hereby authorised and empowered to convene. Whenever owing to paucity of officers, or to any other cause, a court of requests cannot conveniently be held at the station where the defendant or defendants may be, it shall be lawful for the officer commanding the division or district to authorise the assembly of a court by the officer commanding at the nearest place where such court can be formed. Courts of requests shall in all practicable cases consist of five commissioned officers, and in no instance of less than three, and the president thereof shall in all practicable cases be a field officer, and in no case be under the rank of a captain, and every member shall have served five years as a commissioned officer; and the president and members assisting at any such court, before any proceedings be had before it, shall take the following oath, which oath shall be administered by the president of the court to the other members thereof, and to the president by any member having first taken the oath; (that is to say,)

'I swear, that I will duly administer 'justice according to the evidence in the matters that shall 'be brought before me. So help me GOD.'

And all witnesses before any such court shall be examined in the same manner as in the case of a trial by courts-martial. All actions of debt and personal actions against persons amenable to this Act within the jurisdiction of any court of small causes shall be cognizable by such court to the extent of its powers; and all such actions where the amount sued for exceeds four hundred rupees shall be cognizable by a civil court or court of small causes only; and it shall be competent for any civil court or court of small causes, or for any military

court of requests held in lieu thereof under the authority of this section, upon finding or awarding any debt or damage, either to award execution thereof generally, or to direct specially that the whole or any part thereof shall be stopped and paid over to the plaintiff out of any part not exceeding one half of any pay or allowance, or out of any other public money which may respectively be coming to the defendant in the current or any future month or months, or to direct the same to be so paid by instalments. In regard to awards of execution general civil courts and courts of small causes shall proceed in accordance with the rules of procedure for such courts in India; and in all cases where execution shall be awarded generally by a military court of requests, the debt, if not paid forthwith, shall be levied by seizure and public sale of such of the defendant's goods and property as may be found within the camp, garrison, cantonment, or military post, under a written order of the commanding officer, grounded on the judgment of the court, and all orders of such commanding officer as to the manner of such sale, or the person by whom the same shall be made, or otherwise respecting the same, shall be valid and binding; and any goods and property of the defendant found within the limits of the camp, garrison, cantonment, or military post to which the defendant shall belong at any subsequent time shall be liable to be seized and sold in like manner in satisfaction of any remainder of such debt or damages; and if any question shall arise whether any such effects or property are liable to be taken in execution as aforesaid, the decision and order of the said commanding officer shall be final and conclusive with respect to the same, and if sufficient goods shall not be found within the limits of the camp, garrison, cantonment, or military post, then any public money or any part not exceeding one half of the pay or allowances accruing to the defendant shall be stopped in liquidation of such debt or damages; and if such defendant shall not receive pay as an officer or from any public department, but be a sutler, servant, or follower, he may be arrested by like order of the commanding officer, and imprisoned in some convenient place within the military boundaries for any period not exceeding two months, unless the debt be sooner paid; and the said commanding officer shall not, nor shall any person acting on his orders in respect of the matters aforesaid, incur any liability to any person or persons whomsoever for any act done by him in pursuance of the provisions aforesaid; and in cases where the said court shall direct specially that the whole or any part of the debt or damages shall be stopped and paid out of part of any pay and allowances, or out of any public money, the same shall be stopped and paid accordingly in conformity with direction: Provided always, that nothing herein-before contained shall enable any such action as aforesaid to be brought in a military court of requests by any officer or soldier against any officer: Pro-

vided also, that the articles of military equipment of any defendant shall not be deemed "goods and property" under this section.

Provisions relating to courts-martial on officers and soldiers of Her Majesty's Indian forces.

100. The government of any of the presidencies in India may suspend the proceedings of any court-martial held in India on any officer or soldier belonging to Her Majesty's Indian forces within such presidencies respectively; and if any officer belonging to Her Majesty's Indian forces shall think himself wronged by the officer commanding the regiment, and shall upon due application made to him not receive the redress to which he may consider himself entitled, he may complain to his commander-in-chief in order to obtain justice, who is hereby required to examine into such complaint, and thereupon, either by himself or by his adjutant general, to make his report to the government of the presidency to which such officer belongs, in order to receive the further directions of such government.

As to trial of officers and soldiers serving in India.

101. Any officer or soldier, or other person subject to this Act, who shall be serving in the territories of any foreign state in India or in any country in India under the protection of Her Majesty, or at any place in Her Majesty's dominions in India (other than Prince of Wales Island, Singapore, or Malacca), at a distance of upwards of one hundred and twenty miles from the presidencies of Fort William, Fort Saint George, and Bombay respectively, and who shall be accused of having committed any offence which, if committed in England, would be punishable by the criminal law there, may, if the same be also punishable under the Indian penal code for the time being, be tried by a general court-martial to be appointed by the general or other officer commanding in chief in such place for the time being, and, if found guilty, shall be liable to be sentenced by such court-martial to suffer such punishment as may legally be awarded by any of Her Majesty's courts of criminal jurisdiction within Her Majesty's dominions of India in respect of a like offence committed within the jurisdiction of such last-mentioned court; but no sentence of a general court-martial for any such offence shall be carried into execution until the same shall have been duly confirmed; and it shall be lawful for such general or other officer commanding in chief as aforesaid to confirm the sentence of any such general court-martial; and such general or other officer as aforesaid may, if he shall think fit, suspend, mitigate, or remit the sentence; or, in the case of a sentence of penal servitude, may commute the same to imprisonment, with or without hard labour, for such period as to him shall seem fit: Provided always, that in all cases wherein a sentence of death or penal servitude shall have been awarded by any such general court-martial held for the trial of a commissioned officer, or where a sentence of death shall have been awarded by any such general court-martial held for the trial of any person

subject to this Act other than a commissioned officer, such sentence shall not be carried into execution until it shall have been duly approved by the Governor General in Council, or Governor in Council of the presidency in the territories subordinate to which the offender shall have been tried: Provided also, that any person who may have been so tried as aforesaid shall not be tried for the same offence by any other court whatsoever.

Duration of this Act.

102. This Act shall be and continue in force within Great Britain from the twenty-fifth day of April one thousand eight hundred and seventy inclusive until the twenty-fifth day of April one thousand eight hundred and seventy-one; and shall be and continue in force within Ireland, and in Jersey, Guernsey, Alderney, Sark, and Isle of Man, and the islands thereto belonging, from the first day of May one thousand eight hundred and seventy inclusive until the first day of May one thousand eight hundred and seventy-one; and shall be and continue in force within the garrison of Gibraltar, the Mediterranean, and in Spain and Portugal, from the first day of August one thousand eight hundred and seventy inclusive until the first day of August one thousand eight hundred and seventy-one; and shall be and continue in force in all other parts of Europe where Her Majesty's forces may be serving, and in the West Indies and America, from the first day of September one thousand eight hundred and seventy inclusive until the first day of September one thousand eight hundred and seventy-one; and shall be and continue in force in India, and within the Cape of Good Hope, the Isle of France or Mauritius and its dependencies, Saint Helena, and the settlements on the western coast of Africa, from the first day of January one thousand eight hundred and seventy-one inclusive until the first day of January one thousand eight hundred and seventy-two; and shall be and continue in force within British Columbia and Vancouver's Island from the date of the promulgation thereof in general orders there inclusive until the first day of January one thousand eight hundred and seventy-two; and shall be and continue in force in all other places from the first day of February one thousand eight hundred and seventy-two inclusive until the first day of February one thousand eight hundred and seventy-three: Provided always, that this Act shall, from and after the receipt and promulgation thereof in general orders in any part of Her Majesty's dominions or elsewhere beyond the seas, become and be in full force, anything herein stated to the contrary notwithstanding.

Interpretation.

103. The words Commander-in-Chief in this Act shall be held to include the field marshal or other officer commanding in chief Her Majesty's forces for the time being.

Repealing section.

104. The ninth section of The Army Enlistment Act, 1867, and the tenth section of the same Act, except as to enlistments which may have been made thereunder, are repealed.

SCHEDULES referred to by the foregoing Act.

NOTICE to be given to a RECRUIT at the time of his ENLISTMENT.

Date 187 .

* _____

TAKE notice, that you enlisted with at o'clock† on the day of for the regiment [*instead of the words "for the regiment" any words may be substituted which are applicable to the case*], and if you do not come to [*here name some place*] on or before o'clock† on the day of for the purpose of being taken before a justice, either to be attested or to release yourself from your engagement by repaying the enlisting shilling and any pay you may have received as a recruit, and by paying twenty shillings as smart money, you will be liable to be punished as a rogue and vagabond.

You are hereby also warned that you will be liable to the same punishment if you make any wilfully false representation at the time of attestation, or false answers to the questions now asked of you.

Signature of the non-commissioned officer serving the notice. _____

* Name of the recruit. † A.M. or P.M., as the case may be.

QUESTIONS this day put to the RECRUIT before ENLISTMENT, as required by the MUTINY ACT.

1. What is your name? - _____
2. In what parish, and in or near what town, and in what county were you born? - - - _____
3. What is your age? - - _____
4. What is your trade or calling? - - - _____
5. Are you an apprentice? - _____
6. Are you married, or a widower, and, if so, have you any children? - _____
7. Do you now belong to any regiment or any corps in Her Majesty's army, or to the militia, or to the Naval Coast Volunteers, or to the Royal Naval Reserve Force? _____

8. Have you ever served in the army, marines, or in Her Majesty's Indian Forces? - _____

9. Have you ever been rejected as unfit for Her Majesty's service? - - - _____

10. Have you ever been marked with the letter D. or letters B.C.? - - - _____

_____

_____

ATTESTATION PAPER.

Questions to be put to the recruit before attestation.

1. What is your name? - - _____

2. In what parish, and in or near what town, and in what county were you born? - - In the parish of_____ in or near the town of_____in the county of_____

3. What is your age? - - ____years____months.

4. What is your trade or calling? - _____

5. Are you an apprentice? - - _____

6. Are you married? - - _____

7. Do you now belong to the militia, or to the Naval Coast Volunteers, or to the Royal Naval Reserve Force? or Do you belong to any regiment or corps in Her Majesty's Army? - - - _____

8. Have you ever served in the army, marines, militia, navy, or in Her Majesty's Indian Forces?* - _____

* If so, the recruit is to state the particulars of his former service, and the cause of his discharge, and is to produce his parchment certificate of discharge.

9. Have you ever been rejected as unfit for Her Majesty's service, or for Her Majesty's Indian Forces, upon any prior enlistment? - - - - _____

10. Have you ever been marked with the letter "D" or the letters "B.C."? - - - _____

11. Where, when, and by whom were you enlisted? - - - At_____ on the___day of___ at___o'clock___m. By_____

12. Did you receive a notice, and did you understand its meaning? - _____

13. For what bounty and kit did you enlist? - - - - _____and a free kit.

14. Have you any objection to make to the manner of your enlistment? - - - _____

15. Are you willing to be attested to serve in the regiment of or for "general service" for the term of twelve years, provided Her Majesty should so long require your services; and also for such further term, not exceeding twelve months, as shall be directed by the commanding officer on any foreign, colonial, or Indian station? - - _____

*Signature of recruit*_____

*Witness*_____

DECLARATION to be made by RECRUIT on ATTESTATION.

I do solemnly and sincerely declare, that to the best of my knowledge and belief the above answers to the foregoing questions made and signed by me are true; and that I am willing to be attested for the term of twelve years, provided Her Majesty should so long require my services, and also for such further term, not exceeding twelve months, as shall be directed by the commanding officer on any foreign, colonial, or Indian station.

*Signature of recruit*_____

*Signature of witness*_____

OATH to be taken by a RECRUIT on ATTESTATION.

I do make oath, that I will be faithful and bear true allegiance to Her Majesty, her heirs and successors, and that I will, as in duty bound, honestly and faithfully defend Her Majesty, her heirs and successors, in person, crown, and dignity, against all enemies, and will

observe and obey all orders of Her Majesty, her heirs and successors, and of the generals and officers set over me.

So help me GOD.

Witness my hand,

Signature of recruit _____

Witness present _____

The above questions were asked of the said and answered by him in my presence, as herein recorded; and the said made the above declaration and oath before me at this day of one thousand eight hundred and at o'clock, m.

Signature of the justice _____

Note.—The recruit should, if he requires it, receive a certified copy of the declaration.

It is desirable that at least half an hour beyond the twenty-four hours prescribed by the Mutiny Act should have expired before attestation, and that a recruit should invariably be attested at least half an hour before the expiration of ninety-six hours from the time of enlistment.

DECLARATION to be made by a SOLDIER, or PERSON having been a SOLDIER, on renewing his service.

I do declare, that I am at present (1) in captain company, in the regiment; (2) that I enlisted on the day of for a term of years; that I am of the age of years; and that I will serve Her Majesty, her heirs and successors, in regiment (2) for such further term as shall complete a total service of twenty-one years, provided my services should so long be required, and also for such further term, not exceeding twelve months, as shall be directed by the commanding officer on any foreign, colonial, or Indian station.

(1) Or was, as the case may be.
(2) The foregoing portion of this declaration may be altered, by substituting the word "corps" for "regiment," to suit each particular case.

Declared before me _____

Date

Place, at _____

_____ *Signature of soldier.*

_____ *Signature of witness.*

FORM of OATH to be taken by a MASTER whose APPRENTICE has absconded.

I of do make oath, that I am by trade a , and that was bound to serve as an apprentice to me in the said trade, by indenture dated the day of , for the term of

years; and that the said did on or about the day of abscond and quit my service without my consent; and that to the best of my knowledge and belief the said is aged about years. Witness my hand at the day of one thousand eight hundred and

Sworn before me at this day of one thousand eight hundred and .

FORM OF JUSTICE'S CERTIFICATE to be given to the MASTER of an APPRENTICE.

to wit. } I one of Her Majesty's justices of the peace of certify, that of came before me at the day of one thousand eight hundred and , and made oath that he was by trade a , and that was bound to serve as an apprentice to him in the said trade, by indenture dated the day of , for the term of years; and that the said apprentice did on or about the day of abscond and quit the service of the said without his consent, and that to the best of his knowledge and belief the said apprentice is aged about years.

FORM of OATH to be taken by a MASTER whose indentured LABOURER in any of Her Majesty's colonies or possessions has absconded.

I of do make oath, that was bound to me to serve as an indentured labourer by indenture dated the day of for the term of years, and that the said did on or about the day of abscond and quit my service without my consent.

Witness, *&c.* [*as for apprentice.*]

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an indentured LABOURER.

to wit. } I one of Her Majesty's justices of the peace of certify, that of came before me at the day of and made oath that was bound to serve as an indentured labourer to him by indenture dated the day of for the term of years, and that the said indentured labourer did on or about the day of abscond and quit the service of the said without his consent.

FORM of DECLARATION of ATTESTATION of a COMMISSARY'S or PURVEYOR'S ACCOUNTS.

I do solemnly and sincerely declare, that I have not applied any moneys or stores or supplies under my care or distribution to my own use, or to the private use of any other person by way of loan to such person or otherwise, or in any manner applied them, or knowingly permitted them to be applied, to any other than public purposes, according to the duty of my office.

Declared before me by the within-named this day of }

Justice of the Peace of
or *commander-in-chief*, or *second in command, et cætera, the army serving in et cætera* [*as the case may be*].

FORM of DECLARATION of ATTESTATION of a STOREKEEPER'S ACCOUNTS.

I , storekeeper at , do hereby solemnly and sincerely declare, that I have charged myself in this account with the several sums drawn for or received by me on imprests, or for rents, sale of old stores, or for any other article or service; that they are just and true, and include every sum for which I am accountable during the period stated. I also solemnly declare, that I have not, directly or indirectly, received any profit, fee, emolument, or advantage whatever beyond my salary and authorised allowances, except the trifling advantage which may have arisen in respect to the fractional parts of a penny in the totals of the pay lists, as sanctioned by the regulations of 19th December 1832 $\frac{s}{1176}$ (see Art. 246, at page 65, of Home Regulations); and I further solemnly declare, that the several sums of money for which I have taken credit as disbursements in this account, amounting to , have been actually and bonâ fide paid by me for the respective services, without any deductions, to the several persons entitled to the same, and that the receipts which accompany this account have been actually signed and witnessed by the persons stated therein; and I make this declaration, conscientiously believing the same to be true.

_____,
Storekeeper at _____.

Declared before me at
this day of 18 ,}

_____,
Magistrate for _____.

FORM of DECLARATION of ATTESTATION of a BARRACK MASTER'S ACCOUNTS.

I , barrack master of the barracks at , do hereby solemnly and sincerely declare, that I have charged myself in this account with the several sums drawn for or received by me on imprests, or for rents, damages, and deficiencies, washing sheets, or for any other article or service; that they are just and true, and include every sum for which I am accountable during the period stated. I also solemnly declare, that I have not, directly or indirectly, received any profit, fee, emolument, or advantage whatever from or on account of the purchase or issue of any of the articles for the service of the said barracks, nor have I any property in lands, houses, tenements, or any article used or employed in the service of the War Department; and I further solemnly declare, that the several sums of money for which I have taken credit as disbursements in this account, amounting to , have been actually and bonâ fide paid by me for the respective services, without any deductions, to the several persons entitled to the same, and that the receipts which accompany this account have been actually signed and witnessed by the persons stated therein; and I make this declaration, conscientiously believing the same to be true.

_____,
Barrack Master at _____.

Declared before me at
this day of 18 ,

_____,
Magistrate for _____.

FORM of DECLARATION of ATTESTATION of a PAYMASTER'S ACCOUNTS.

I do solemnly and sincerely declare, that the foregoing pay list of the regiment of , for the period ended 186 , contains charges of pay for only such non-commissioned officers, drummers, fifers, buglers, and privates as were effective and entitled to pay during, and regularly mustered at, the periods set against their names; that all those men who were not present at the respective musters taken by me on the , the , and the have the true reasons of their absence stated against their names; and that every absence affecting the pay or allowances of such men which occurred between the respective musters is properly accounted for.

Also, that the list of commissioned officers prefixed to the said pay list contains a true and just statement of the names of all the commissioned officers who have been effective and

entitled to pay as belonging to the said regiment for the periods therein set down against their respective names; also, that all the remarks opposite to their names on the muster roll have been correctly copied therein; and that the sum debited in the general state of this pay list for the pay of officers has been actually received by me and paid to them respectively.

Also, that the whole of the sums debited in this pay list and account, amounting to , have been actually and bonâ fide disbursed by me in conformity with the established regulations, and that the total sum received, drawn for, or required to be remitted for the several services therein charged, including every receipt whatever, for which I am required to give credit in these accounts, is .

Also, that the statement at the foot of this page contains a full and correct list of all abstracts of examination, and of all decisions on abstracts of examination, of the pay list of this regiment received between the of 186 (the date of the last pay list transmitted to the War Office being that for the period ended the 186) and the of 186 , the date of this pay list.

Also, that the total amount of the sums disallowed in the said decisions is credited in this pay list, in conformity with article 21 of the explanatory directions, dated the 1st July 1848.

Also, that to the best of my knowledge and belief both my sureties are now living; that the property of each is at least double that for which he is surety; and that they respectively reside at the places under mentioned.

Names of sureties.	Places of residence.

Paymaster.

Declared and subscribed before me, at this day of 18 . } *Justice of the Peace for* .

FORM of DECLARATION of ATTESTATION of the ACCOUNTS of a MILITARY ACCOUNTANT.

I HEREBY solemnly and sincerely declare, that this account, comprised in folios, is just and true, according to the best of my knowledge, information, and belief; and I make this declaration, conscientiously believing the same to be true.

Military Accountant.

Declared before me, at this day of 18 . } *Justice of the Peace for* .

No.

DESCRIPTION RETURN of who was apprehended [*or* surrendered himself, *as the case may be*] on the day of and was committed to confinement at on the day of as a deserter from [*insert regiment or corps.*]

Age - - - - -		
Height - - - - -	Feet.	Inches.
Complexion - - - -		
Hair - - - - -		
Eyes - - - - -		
Marks - - - - -		
Probable date of enlistment, and where -		
Probable date of desertion, and from what place - - - -		
Name and occupation and address of the person by whom or through whose means the deserter was apprehended and secured - -		
* Particulars in the evidence on which the prisoner is committed, and showing whether he surrendered or was apprehended, and in what manner, and upon what grounds -		

* It is important for the public service, and for the interest of the deserter, that this part of the return should be accurately filled up, and the details should be inserted by the magistrate in his own handwriting, or, under his direction, by his clerk.

I do hereby certify, that the prisoner has been duly examined before me as to the circumstance herein stated, and has declared in my presence that he † a deserter from the above-mentioned corps.

——— *Signature and address of magistrate.*

——— *Signature of prisoner.*

——— *Signature of informant.*

† Insert "is" or "is not," as the case may be.

I certify, that I have inspected the prisoner, and consider him ‡ for military service.

——— *Signature of military medical officer, or of* § *private medical practitioner.*

‡ Insert "fit" or "unfit," as the case may be; and, if unfit, state the cause of unfitness.

§ No fee will be allowed to a private medical practitioner where a military medical officer is stationed, unless it is shown that his services were not available.

CHAP. 8.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. [4th April 1870.]

WHEREAS it is judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in Her Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid: And whereas the said forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or merchant ships or vessels, or ships or vessels of Her Majesty, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of Her Majesty's forces by sea: And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner, than by the judgment of his peers, and according to the known and established laws of this realm; yet nevertheless it being requisite for the retaining of such forces in their duty that an exact discipline be observed, and that marines who shall mutiny or stir up sedition, or shall desert Her Majesty's service, or be guilty of any other crime or offence in breach of or to the prejudice of good order and discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to Lord High Admiral, &c. to make Articles for the punishment of mutiny, desertion, &c.

1. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral aforesaid, from time to time to make, ordain, alter, and establish Rules and Articles of War, under the hand of the said Lord High Admiral, or under the hands of any two or more of the said Commissioners, for the better government of Her Majesty's Royal Marine forces, and for the punishment of mutiny, desertion, immorality, breach of discipline, misbehaviour, neglect of duty, and any other offence or misconduct of which they shall be guilty, in any place on shore or afloat in or out of Her Majesty's dominions, or at any time when or under any circumstances in which they shall not be amenable to the laws for the government of Her Majesty's ships, vessels, and forces by sea, and for regulating the proceedings of courts-martial, which rules and articles shall be judicially taken notice of by all judges and in all courts whatsoever; and copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the

Admiralty for the time being (certified under his hand) to the judges of Her Majesty's superior courts at Westminster, Dublin, and Edinburgh respectively, and also to the governors of Her Majesty's dominions abroad; provided that no person within the United Kingdom of Great Britain and Ireland or within the British Isles shall by such Articles of War be subject to suffer any punishment extending to life or limb, or to be kept in penal servitude, except for crimes which are by this Act expressly made liable to such punishment as aforesaid, or shall be subject, with reference to any crimes made punishable by this Act, to be punished in any manner which may be inconsistent with the provisions of this Act.

As to offences against former Mutiny Acts and Articles of War.

2. All crimes and offences committed against any former Act made for the regulation of the Royal Marine forces while on shore, or against any of the rules, regulations, or Articles of War made and established by virtue of the same, may, during the continuance of this Act, be tried, inquired of, and punished in like manner as if they had been committed against this Act; and every warrant for holding any court-martial under any former Act shall remain in full force notwithstanding the expiration of such Act; and all proceedings of any court-martial upon any trial begun under the authority of such former Act shall not be discontinued by the expiration of the same: Provided always, that no person shall be liable to be tried and punished for any offence against any of the said Acts or Articles of War which shall appear to have been committed more than three years before the date of the commission or warrant for such trial, unless the person accused, by reason of his having absented himself, or of some other manifest impediment, shall not have been amenable to justice within that period, in which case such person shall be liable to be tried at any time not exceeding two years after the impediment shall have ceased; and provided also, that if any officer or marine in any place beyond the seas shall commit any of the offences punishable by court-martial under this Act, and shall escape and come or be brought into this realm before he be tried for the same, he shall, when apprehended, be tried for the same as if such offence had been committed within this realm.

Limitation as to time.

Provisions of this Act to extend to Jersey, &c.

3. This Act shall extend to the islands of Jersey, Guernsey, Alderney, Sark, and Man, and the islands thereto belonging, as to the provisions herein contained for enlisting of recruits, whether minors or of full age, and swearing and attesting such recruits, and for mustering and paying, and to the provisions for trial and punishment of officers and marines who shall be charged with mutiny and desertion or any other of the offences which are by this Act declared to be punishable by the sentence of a court-martial, and also to the provisions which relate to the punishment of persons who shall conceal deserters, or shall knowingly buy, exchange, or otherwise receive any arms, medals for good conduct or for distin-

guished or other service, clothes, military furniture, or regimental necessaries from any marine or deserter, or who shall cause the colour of any such clothes to be changed; and also to the provisions for exempting marines from being taken out of Her Majesty's service for not supporting or for leaving chargeable to any parish any wife or child or children, or on account of any breach of contract to serve or work for any employer, or on account of any debts under thirty pounds in the said islands.

The ordinary course of law not to be interfered with.

4. Nothing in this Act contained shall be construed to extend to exempt any officer or marine from being proceeded against by the ordinary course of law when accused of felony or misdemeanor, or of any misdemeanor other than the misdemeanor of refusing to comply with an order of justices for the payment of money; and any commanding officer who shall neglect or refuse, when due application shall be made to him for that purpose, to deliver over to the civil magistrate any officer or marine, or who shall wilfully obstruct, neglect, or refuse to assist any peace officer in apprehending any such offender, shall, upon conviction thereof in any of Her Majesty's courts at Westminster, Dublin, or Edinburgh, be deemed to be thereupon cashiered, and shall be utterly disabled to hold any civil or military office or employment in Her Majesty's service; and a certificate of such conviction shall be transmitted to the Secretary of the Admiralty.

No person tried by civil power to be punished by court-martial for same offence except by cashiering, &c.

5. No person subject to this Act having been acquitted or convicted of any crime or offence by the civil magistrate or by the verdict of a jury shall be liable to be again tried for the same crime or offence by a court-martial, or to be punished for the same otherwise than by cashiering in the case of a commissioned officer, or in the case of a warrant officer by reduction to an inferior class, or to the rank of a private marine, by order of the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, or in the case of a non-commissioned officer, by reduction to the ranks, by order of the commandant of the division to which such non-commissioned officer may belong; and whenever any officer or marine shall have been tried before a court of ordinary criminal jurisdiction, the clerk of the court or other officer having the custody of the records of such court, or the deputy of such clerk, shall, if required by the officer commanding the division to which such officer or marine belongs, transmit to him a certificate containing the substance and effect only, omitting the formal part, of the indictment, conviction, and entry of judgment thereon or acquittal of such officer or marine, and shall be allowed for such certificate a fee of three shillings.

Marines to be subject to the discipline of the navy while on board ship.

6. All of Her Majesty's Royal Marine forces shall, during the time they shall be respectively borne on the books of or be on board any of Her Majesty's ships or vessels in commission, either as part of the complement or as supernumeraries,

or otherwise, be subject and liable in every respect to the laws for the government of Her Majesty's forces by sea, and to the rules and discipline of the Royal Navy for the time being, and shall and may be proceeded against and punished for offences committed by them whilst so borne or on board, in the same manner as the officers and seamen employed in the Royal Navy may be tried or punished; except when and so long as any marine officers or marines shall be landed from any of Her Majesty's ships, and be employed in military operations on shore, and when on such occasions the senior naval officer present shall deem it expedient to issue an order declaring that such marine officers and marines shall during such employment on shore be subject to the regulations of this Act, in which cases, and while such order shall remain in force, they shall be subject to such regulations, and be tried and punished under this Act accordingly for any offences to be committed by them while so on shore; and, with or without any commission or warrant from the said Lord High Admiral or the said Commissioners for that purpose, the officer commanding in chief or commanding for the time being any such marine officers or marines shall have power and authority to convene, and to authorise any officer to convene, courts-martial under this Act, as occasion may require, for the trial of offences committed by any of the Royal Marine forces, whether the same shall have been committed before or after such officer shall have taken upon himself such command: Provided always, that if any marine officer or marine so borne on the books of any of Her Majesty's ships or otherwise shall commit any offence for which he shall not be amenable to a naval court-martial, he may be tried and punished for the same in the same manner as other officers or marines may be tried and punished for the like offences under the authority of this Act; or if the Commissioners for executing the office of Lord High Admiral aforesaid so direct, he may be so tried and punished for any offence committed by him on shore, whether he be or be not amenable to a naval court-martial for the same.

Power to Lord High Admiral, &c. to grant commissions for holding general courts-martial, &c.

7. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral aforesaid, from time to time to grant commissions or warrants under the hand of the said Lord High Admiral, or under the hands of any two or more of the said Commissioners, for the holding of general and other courts-martial within the United Kingdom of Great Britain and Ireland, and elsewhere out of the same, in like manner as has been heretofore used, and for bringing offenders against this Act and the Articles of War to justice, and to erect and constitute courts-martial, as well within the said United Kingdom and the British Isles as in any of Her Majesty's garrisons or dominions or elsewhere beyond the seas, and to grant commissions or warrants to the officer or officers commanding in chief or commanding for the time being any of Her Majesty's Royal Marine forces, as well

within the said United Kingdom as Her Majesty's other dominions, and in any foreign parts out of the same dominions, for convening, as well as for authorising any officer to convene, courts-martial, as occasion may require, for the trial of offences committed by any of the Royal Marine forces, whether the same shall have been committed before or after such officer shall have taken upon himself such command, or before or after any such commission or warrant shall be granted, provided that the officer so authorised be not below the degree of a field officer, except in detached situations beyond seas, where a captain may be authorised to convene district or garrison courts-martial; and any person subject to this Act who shall, in any of Her Majesty's dominions or elsewhere, commit any of the offences for which he may be liable to be tried by court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any part of Her Majesty's dominions, or other place where he may have come or be after the commission of the offence, as if the offence had been committed where such trial shall take place.

Place where offenders may be tried.

8. Every general court-martial convened within the United Kingdom or the British Isles shall consist of not less than nine commissioned officers, each of whom shall have held a commission for three years before the date of the assembly of the court. Every general court-martial shall have power to sentence any officer of marines or marine to suffer death, penal servitude, imprisonment, forfeiture of pay or pension, or any other punishment which shall accord with the usage of the service; but no sentence of death by a court-martial shall pass unless two thirds at least of the officers present shall concur therein. No sentence of penal servitude shall be for a period of less than five years, and no sentence of imprisonment shall be for a period longer than two years.

Power of general courts-martial.

9. Every district or garrison court-martial convened within the United Kingdom or the British Isles shall consist of not less than seven commissioned officers, and shall have the same power as a general court-martial to sentence any marine to such punishments as shall accord with the provisions of this Act; provided that the sentence of a district or garrison court-martial shall be confirmed by the general officer, governor, or senior officer in command of the district, garrison, island, or colony, and that no such district or garrison court-martial shall have power to try a commissioned officer, or to pass any sentence of death or penal servitude.

Powers of district or garrison courts-martial.

10. A divisional or detachment court-martial shall consist of not less than five commissioned officers, unless it be found impracticable to assemble that number, in which case three shall be sufficient, and shall have power to sentence any marine to corporal punishment or to imprisonment, and forfeiture of pay, in such manner as shall accord with the provisions of this Act.

Powers of divisional and detachment courts-martial.

Courts-martial on line of march or in transport ships, &c.

11. In cases of mutiny and insubordination accompanied with personal violence or of other offences committed on the line of march, or on board any transport ship, convict ship, or merchant vessel, the offender may be tried by a divisional or detachment court-martial, and the sentence may be confirmed and carried into execution on the spot by the officer in immediate command, provided that the sentence shall not exceed that which a divisional court-martial is competent to award.

Powers of detachment general courts-martial.

12. It shall be lawful for any officer commanding any detachment or portion of Her Majesty's Royal Marine forces, upon complaint made to him of any offence committed against the property or person of any inhabitant of or resident in any country in which Her Majesty's Royal Marine forces are so serving by any person under the immediate command of any such officer, to summon and cause to be assembled a detachment general court-martial, which shall consist of not less than three commissioned officers, for the trial of any such person, notwithstanding such officer shall not have received any warrant empowering him to assemble courts-martial; and every such court-martial shall have the same powers in regard to summoning and examining witnesses, trial of and sentence upon offenders, as are granted by this Act to general courts-martial: Provided always, that no sentence of any such detachment court-martial shall be executed until the officer commanding the army to which the division, brigade, detachment, or party to which any person so tried shall belong shall have approved and confirmed the same.

Officers of the marine and land forces may sit in conjunction on courts-martial.

13. When it is necessary or expedient, a court-martial composed exclusively of officers of the Royal Marines, or a court-martial composed of officers of Her Majesty's Army, or of Her Majesty's Indian Army, or of both or of either, together with officers of the Royal Marines, whether the commanding officer by whose order such court-martial is assembled belongs to the land or to the marine forces, may try a person belonging to any one of the said three services; provided that when the person to be tried shall belong to Her Majesty's Royal Marine forces, then the provisions of this Act, or of such Act as shall be then and there in force for the regulation of Her Majesty's Royal Marine forces while on shore, and the oaths therein respectively prescribed, and the Rules and Articles of War relating to the Royal Marines then and there in force, shall be applicable to such court, and the proceedings thereof and relating thereto; but where the person to be tried shall belong to Her Majesty's Army, or shall belong to Her Majesty's Indian Army, and be within the United Kingdom, then the proceedings of such court shall be regulated as if the court were composed of officers of Her Majesty's Army only, and the provisions of the Act then and there in force for the punishment of mutiny and desertion, and for the better payment of the army and their quarters, and the oaths therein

prescribed, and the Rules and Articles of War relating to Her Majesty's Army then and there in force, shall be applicable to such court, and the proceedings thereof and relating thereto; and where the person to be tried shall belong to Her Majesty's Indian Army, and be out of the United Kingdom, the provisions of such Act or Acts as shall be then and there in force for punishing mutiny and desertion of officers and soldiers in Her Majesty's Indian Army, and the Rules and Articles of War, if any, relating to such officers and soldiers then and there in force, shall be applicable to such court, and the proceedings thereof and relating thereto.

If no superior officer of land forces is present in command of a district, &c., an officer of marines may convene a court-martial.

14. Provided there be no superior officer of Her Majesty's land forces present in command of a district, garrison, station, or place where marines may be serving, it shall be lawful for any officer of the Royal Marine corps of the degree of a field officer, and holding a commission from the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, for that purpose, but not otherwise, to convene or assemble a district or garrison court-martial, to be composed as before stated, and for such court to proceed to try any marine or marines below the rank of commissioned officer for any of the offences cognizable by a district or garrison court-martial; but the sentence so awarded by any such court shall not be carried into effect until the senior officer of the Royal Marines in the district, garrison, station, or place, not being a member of the court, shall have confirmed the same: Provided always, that if there be any such superior officer of Her Majesty's land forces present in command of the district, garrison, station, or place where marines may be, in such case it shall be lawful for him to convene or assemble such district or garrison court-martial for the trial of any marine or marines below the rank of a commissioned officer, and for such court-martial to try any such marine or marines in conformity with the provisions of this Act and the Articles of War to be made in pursuance hereof; but the sentence which may be awarded by any such court which may be convened or assembled by any such superior officer shall not be carried into effect until such superior officer shall have confirmed the same.

President of courts-martial.

15. The president of every court-martial shall be appointed by or under the authority of the officer convening such courts, and shall in no case be the confirming officer, or the officer whose duty it has been to investigate the charges on which the prisoner is to be arraigned, nor, in the case of a general court-martial, under the degree of a field officer, unless where a field officer cannot be had, nor in any case whatsoever under the degree of a captain, save in the case of a detachment general court-martial holden out of Her Majesty's dominions, or of a divisional or detachment court-martial holden on the line of march, or on board a transport ship, convict ship, merchant vessel, or troop ship not in commission, or on any foreign station where a captain cannot be had: Provided

always, that in the case of a detachment general court-martial holden out of Her Majesty's dominions the officer convening such court may be the president thereof.

Proceedings at trial.

16. In all trials by court-martial, as soon as the president and other officers appointed to serve thereon shall be assembled, their names shall be read over in the hearing of the prisoner, who shall thereupon be asked if he objects to being tried by the president or by any of such officers, and if the prisoner shall then object to the president, such objection, unless disallowed by two thirds at least of the other officers appointed to form the court, shall be referred to the decision of the authority by whom such president shall have been appointed; but if he object to any officer other than the president, such objection shall be decided by the president and the other officers so aforesaid appointed to form the court; and when the place of the president or other officer in respect of whom any challenge shall have been made and allowed shall be supplied by some officer in respect of whom no challenge shall be made or allowed, or if no challenge whatever shall have been made, or, if made, not allowed, the president and the other officers composing a general court-martial shall take the oaths in the schedule to this Act annexed before the judge advocate or his deputy or person officiating as judge advocate, and on trials by other courts-martial before the president of such court, who are hereby respectively authorised to administer the same, and any sworn member may administer the oath to the president; and as soon as the said oaths shall have been administered to the respective members, the president of the court is hereby authorised and required to administer to the judge advocate, or the person officiating as such, the oath in the schedule to this Act annexed; and no proceeding or trial shall be had upon any offence but between the hours of eight of the clock in the morning and four in the afternoon, except in cases which require an immediate example, and except in the East Indies, where such proceedings or trial may be had between the hours of six in the morning and four in the afternoon.

Swearing and summoning witnesses.

17. All general and other courts-martial shall have power and authority and are hereby required to administer an oath to every witness or other person who shall be examined before such court in any matter relating to any proceeding before the same; and every person, as well civil as military, who may be required to give or produce evidence before a court-martial, shall, in the case of general courts-martial, be summoned by the judge advocate, or the person officiating as such, and in the case of all other courts-martial by the president of the court; and all persons so summoned and attending as witnesses before any court-martial shall, during their necessary attendance in or on such courts, and in going to and returning from the same, be privileged from arrest, and shall, if unduly arrested, be discharged by the court out of which the writ or process issued by which such witness was arrested; or if such

court be not sitting, then by any judge of the superior courts of Westminster or Dublin, or of the Court of Session in Scotland, or of the courts of law in the East or West Indies, or elsewhere, according as the case shall require, upon its being made to appear to such court or judge by any affidavit in a summary way that such witness was arrested in going to, attending upon, or returning from or attending upon such court-martial; and all witnesses so duly summoned as aforesaid who shall not attend on such courts, or attending shall refuse to be sworn, or not produce the documents being under their power or control required to be produced by them, or, being sworn, shall refuse to give evidence or to answer all such questions as the court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in London or Dublin, or in the Court of Session, sheriff or stewart courts in Scotland, or in the courts of law in the East or West Indies, or in any of Her Majesty's colonies, garrisons, or dominions in Europe or elsewhere, respectively, upon complaint made, in like manner as if such witness had, after being duly summoned or subpœnaed, neglected to attend on a trial in any proceeding in the court in which such complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an oath necessary in any case where by law a solemn affirmation may be made instead thereof.

No second trial, but revision allowed.

18. No officer or marine who shall be acquitted or convicted of any offence shall be liable to be tried a second time by the same or any other court-martial for the same offence; and no finding, opinion, or sentence given by any court-martial, and signed by the president thereof, shall be revised more than once, nor shall any additional evidence in respect of any charge on which the prisoner then stands arraigned be received by the court on any revision.

Crimes punishable with death.

19. If any person who is or shall be commissioned or in pay as an officer of Royal Marines, or who is or shall be listed or in pay as a non-commissioned officer, drummer, or private man in Her Majesty's Royal Marine forces, shall at any time during the continuance of this Act, while on shore in any place within the said kingdom, or in any other of Her Majesty's dominions, or in any foreign parts out of such dominions, or on board any transport ship, or merchant ship or vessel, or any ship or vessel of Her Majesty, or on board any convict hulk or ship, or any other ship or vessel, or in any place whatever, where or while being in any circumstances in which he shall not be subjected to, or not be liable to or punishable by, the laws relating to the government of Her Majesty's forces by sea, begin, excite, cause, or join in any mutiny or sedition in Her Majesty's marine or other forces, or shall not use his utmost endeavours to suppress any such mutiny or sedition, or shall conspire with any other person to cause a mutiny, or coming to the knowledge of any mutiny or intended mutiny shall not without delay give information thereof to his com-

manding officer; or shall misbehave himself before the enemy; or shall shamefully abandon or deliver up any garrison, fortress, post, or guard committed to his charge, or which he shall have been commanded to defend; or shall compel the governor or commanding officer of any garrison, fortress, or post to deliver up to the enemy or to abandon the same; or shall speak words or use any other means to induce such governor or commanding officer or any other to misbehave before the enemy, or shamefully to abandon or deliver up any garrison, fortress, post, or guard committed to their respective charge, or which he or they shall be commanded to defend; or shall leave his post before being regularly relieved, or shall sleep on his post; or shall hold correspondence with or give advice or intelligence to any rebel, pirate, or enemy of Her Majesty, either by letters, messages, signs, tokens, or any other ways or means whatever; or shall treat or enter into any terms with any such rebel, pirate, or enemy, without the licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid, for the time being; or shall strike or use or offer any violence against his superior officer being in the execution of his office, or shall disobey any lawful command of his superior officer; or who being confined in a military prison shall offer any violence against a visitor or other officer being in the execution of his office, or shall violate any law or regulation of or relating to any military prison; or shall desert from Her Majesty's Royal Marine forces; every person so offending in any of the matters before mentioned, whether such offence be committed within this realm, or in any other of Her Majesty's dominions, or in foreign parts upon land or upon the sea, shall suffer death or penal servitude or such other punishment as by a court-martial shall be awarded: Provided always, that any non-commissioned officer or marine in pay in any division or company who shall, without having first obtained a regular discharge therefrom, enlist himself in any other division or company, or in any other branch of Her Majesty's service, may be deemed to have deserted Her Majesty's service, and shall be liable to be punished accordingly.

Commutation of death for penal servitude or imprisonment, &c.

20. In all cases where the punishment of death shall have been awarded by a general court-martial or by a detachment general court-martial it shall be lawful for Her Majesty, or, if in any place out of the United Kingdom or British Isles, for the commanding officer having authority to confirm the sentence, instead of causing such sentence to be carried into execution, to order the offender to be kept to penal servitude for any term not less than five years, or to suffer such term of imprisonment, with or without hard labour, and with or without solitary confinement, as shall seem meet to Her Majesty or to the officer commanding as aforesaid.

Embezzlement punishable by penal servi-

21. Any officer or marine, or any person employed or in any way concerned in the care or distribution of any money,

provisions, forage, arms, clothing, ammunition, or other stores belonging to any of Her Majesty's forces or for Her Majesty's use, who shall embezzle, fraudulently misapply, wilfully damage, steal, or receive the same knowing them to have been stolen, or shall be concerned therein or connive thereat, may be tried for the same by a general court-martial, and sentenced to be kept in penal servitude for any term not less than five years, or to suffer such punishment of fine, imprisonment with or without hard labour, dismissal from Her Majesty's service, reduction to the ranks, if a warrant or non-commissioned officer, as such court shall think fit, according to the nature and degree of the offence; and every such offender shall, in addition to any other punishment, make good at his own expense the loss and damage sustained; and in every such case the court is required to ascertain by evidence the amount of such loss or damage, and to declare by their sentence that such amount shall be made good by such offender; and the loss and damage so ascertained as aforesaid shall be a debt to Her Majesty, and may be recovered in any of Her Majesty's courts at Westminster or in Dublin, or the Court of Exchequer in Scotland, or in any court in Her Majesty's colonies where the person sentenced by such court-martial shall be resident after the said judgment shall be confirmed and made known, or the offender, if he shall remain in the service, may be put under stoppages not exceeding one half of his pay and allowances until the amount so ascertained shall be recovered. tude, imprisonment, &c.

22. Whenever Her Majesty shall intend that any sentence of penal servitude heretofore or hereafter to be passed upon any offender by any court-martial shall be carried into execution for the term specified in such sentence, or for any shorter term, or shall be graciously pleased to commute as aforesaid to penal servitude any sentence of death which shall have been passed by any such court, such sentence, together with Her Majesty's pleasure upon the same, shall be notified in writing by the Lord High Admiral, or by the Secretary to the Admiralty for the time being, to any justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such justice or baron shall make an order for the penal servitude of such offender upon the terms and for the time which shall be specified in such notification, and shall do all such other acts consequent upon such notification as any such justice or baron is authorised to make or do by any statute or statutes in force at the time of making any such orders in relation to penal servitude of offenders; and such order, and other acts to be so made and done as aforesaid, shall be obeyed and executed by such person in whose custody such offender shall at that time be, and by all other persons whom it may concern, and shall be as effectual, and have all the same consequences, as any order made under the authority of any statute with respect to any offender in such statute mentioned; and every sheriff, gaoler, keeper, governor, As to execution of sentences of penal servitude in the United Kingdom.

or superintendent whom it may concern, and all constables and other persons, shall be bound to obey the aforesaid order and orders, be assistant in the execution thereof, and be liable to the same punishment for disobedience to or for interrupting the execution of such order, as they would be if the same had been made under the authority of any such Act of Parliament; and every person so ordered to be kept in penal servitude shall be subject respectively to all and every the penalties and provisions made by law and in force concerning persons under sentence of penal servitude, or receiving Her Majesty's pardon on condition of penal servitude; and from the time when such order of penal servitude shall be made every law and statute in force touching the escape of felons, or their afterwards returning or being at large without leave, shall apply to such offender, and to all persons aiding, abetting, contriving, or assisting in any escape or intended escape or the returning without leave of any such offender; and the judge who shall make any order of penal servitude as aforesaid shall direct the notification of Her Majesty's pleasure, and his own order made thereupon, to be filed and kept of record in the office of the Clerk of the Crown of the Court of Queen's Bench; and the said clerk shall have a fee of two shillings and sixpence only for filing the same, and shall, on application, deliver a certificate in writing (not taking more than two shillings and sixpence for the same) to such offender, or to any person applying in his or Her Majesty's behalf, showing the Christian and surname of such offender, his offence, the place where the court was held before which he was convicted, the sentence, and the conditions on which the order of penal servitude was made; which certificate shall be sufficient proof of the conviction and of the sentence of such offender, and also of the terms in which such order for his penal servitude was made, in any court and in any proceeding wherein it may be necessary to inquire into the same; and it shall be lawful for any judge of the Queen's Bench, Common Pleas, or Exchequer in Ireland to make an order that any such offender convicted in Ireland shall be kept in penal servitude in England, and such order shall be in all respects as effectual in England as though such offender had been convicted in England and the order had been made by any judge of the Queen's Bench, Common Pleas, or Exchequer in England.

As to execution of sentences in the colonies.

23. Whenever any sentence of penal servitude heretofore or hereafter passed upon any offender by any court-martial holden in any part of Her Majesty's foreign dominions, or elsewhere beyond the seas, is to be carried into execution for the term specified in such sentence, or for any shorter term, or when sentence of death passed by any such court-martial has been or shall as aforesaid be commuted to penal servitude, the same shall be notified by the officer commanding Her Majesty's forces at the presidency or station where the offender may come or be, if in India to the chief judge or any judge

of the chief civil court of the presidency or province in which the court-martial has been held; and if in any other part of Her Majesty's foreign dominions, to the chief justice or some other judge therein, who shall make order for the penal servitude or intermediate custody of such offender; and upon any such order being made it shall be duly notified to the governor of the presidency if in the East Indies, or to the governor of the colony if in any of Her Majesty's colonies, or to the person who shall for the time being be exercising the office of governor of such presidency or colony, who on receipt of such notification shall cause such offender to be removed or sent to some other colony or place, or to undergo his sentence within the presidency or colony where the offender was so sentenced or where he may come or be as aforesaid in obedience to the directions for the removal and treatment of convicts which shall from time to time be transmitted from Her Majesty through one of Her Principal Secretaries of State to such presidency or colony; and such offender shall, according to such directions, undergo the sentence of penal servitude which shall have been passed upon him either in the presidency or colony in which he has been so sentenced or in the colony or place to which he has been so removed or sent, and whilst such sentence shall remain in force shall be liable to be imprisoned and kept to hard labour, and otherwise dealt with under such sentence, in the same manner as if he had been sentenced to be imprisoned with hard labour during the term of his penal servitude by the judgment of a court of competent jurisdiction in such presidency or colony or in the colony or place to which he has been so removed or sent respectively.

Sentence of penal servitude may be commuted for imprisonment.

24. In any case where a sentence of penal servitude shall have been awarded by a general or detachment general court-martial, it shall be lawful for Her Majesty, or, if in any place out of the United Kingdom or British Isles, for the officer commanding in chief Her Majesty's forces there serving, instead of causing such sentence to be carried into execution, to order that the offender be imprisoned, with or without hard labour, and with or without solitary confinement, for such term not exceeding two years as shall seem meet to Her Majesty or to the officer commanding as aforesaid.

Of forfeitures, when combined with penal servitude.

25. Where an award of any forfeiture, or of deprivation of pay, or of stoppages of pay shall have been added to any sentence of penal servitude, it shall be lawful for the said Lord High Admiral or the said Commissioners, or, if in any place out of the United Kingdom or British Isles, for the officer commanding in chief Her Majesty's forces there serving, in the event of the sentence being commuted for imprisonment, to order such award of forfeiture, deprivation of pay, or stoppages of pay to be enforced, mitigated, or remitted as may be deemed expedient.

Disposal of convict after sentence of penal servitude.

26. When any sentence of death shall be commuted for penal servitude, or when any marine shall by court-martial be adjudged to penal servitude as authorised by this Act, it shall be lawful for the commanding officer of the division to which such marine shall have belonged or may belong to cause him to be detained and conveyed to any gaol or prison, there to remain in safe custody until he shall be removed therefrom by due authority under an order for his penal servitude to be made by some justice of the Queen's Bench or Common Pleas or baron of the Exchequer as aforesaid; and a certificate of his sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, (such certificate to be signed by the commanding officer of the division from which he shall be sent,) shall be a sufficient order, requisition, and authority to the governor, keeper, or superintendent of the gaol or prison to receive and detain him: Provided always, that in case of any such offender being so conveyed to gaol or prison the usual allowance of sixpence per diem, or such other sum as the said Lord High Admiral or the said Commissioners may at any time or times direct, shall be made to the keeper of the gaol or prison for the subsistence of such offender during his detention therein, which allowance shall be paid by the paymaster of the division, upon production to him, by the said governor, keeper, or superintendent, of a declaration, to be made by him before one of Her Majesty's justices of the peace of such county, of the number of days during which the offender shall have been so detained and subsisted in such gaol or prison.

Power to inflict corporal punishment in certain cases.

27. No court-martial shall, for any offence whatever committed in time of peace within the Queen's dominions, have power to sentence any marine to corporal punishment: Provided, that any court-martial may sentence any marine to corporal punishment while on active service in the field, or on board any ship not in commission, for mutiny, insubordination, desertion, drunkenness on duty or on the line of march; and no sentence of corporal punishment shall exceed fifty lashes.

Power to inflict corporal punishment and imprisonment.

28. It shall be lawful for any general, district, or garrison court-martial to award imprisonment, with or without hard labour, and with or without solitary confinement, such confinement not exceeding the periods prescribed herein-after or by the Articles of War, and in case of a marine in addition to corporal punishment.

Power to commute corporal punishment.

29. In all cases in which corporal punishment shall form the whole or part of the sentence awarded by any court-martial, it shall be lawful for the Lord High Admiral of the United Kingdom of Great Britain and Ireland, or the Commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, or for the officer authorised to confirm the sentences of courts-martial, to commute such corporal punishment to imprisonment for any period

not exceeding forty-two days, with or without hard labour, and with or without solitary confinement, or to mitigate such sentence, or instead of such sentence to award imprisonment for any period not exceeding twenty days, with or without hard labour, and with or without solitary confinement, and corporal punishment, to be inflicted in the prison, not exceeding twenty-five lashes, and the solitary confinement herein-before mentioned shall in no case exceed seven days at a time, with intervals of not less then seven days between each period of such confinement.

Power to commute a sentence of cashiering.

30. It shall be lawful for Her Majesty, in all cases whatsoever, instead of causing a sentence of cashiering to be put in execution, to order the offender to be reprimanded, or, in addition thereto, to suffer such loss of army or regimental rank, or both, as may be deemed expedient.

Forfeiture of pay and pension by sentence of court-martial.

31. Any general court-martial may, in addition to any other punishment which such court may award, sentence any offender to forfeiture of all advantage as to additional pay, good-conduct pay, and to pension on discharge, which might have otherwise accrued from the length of his former service, or to forfeiture of such advantage absolutely, whether it might have accrued from past service, or might accrue from future service, or to forfeiture of any annuity and medal which may have been granted for former meritorious service, or of the gratuity and medal awarded for former good conduct, and of all medals and decorations, according to the nature of the case; and any district or garrison court-martial may also, in addition to any punishment which such court may award, sentence any offender to such forfeiture for desertion, or for disgraceful conduct,

In wilfully maiming or injuring himself or any other marine, whether at the instance of such other marine or not, or of causing himself to be maimed or injured by any other person, with intent thereby to render himself or such other marine unfit for service:

In wilfully doing any act, or wilfully disobeying any orders, whether in hospital or otherwise, thereby producing or aggravating disease or infirmity, or delaying his cure:

In malingering or feigning disease:

In tampering with his eyes, with intent thereby to render himself unfit for service:

In stealing or embezzling Government property or stores, or in receiving the same knowing the same to have been stolen:

In stealing any money or goods the property of a comrade, of a marine officer, or of any marine mess or band, or in receiving any such money or goods knowing the same to have been stolen:

In making any false or fraudulent accounts, returns, matters, or entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying public money intrusted to him:

Or in committing any other offence of a felonious or fraudulent nature, to the injury of, or with intent to injure, any person, civil, marine, or military:

Or for any other disgraceful conduct, being of a cruel, indecent, or unnatural kind.

Forfeiture of pay on conviction of desertion or felony.

32. Every marine who shall be found guilty by a court-martial of desertion, of wilfully maiming or injuring himself or any other marine, whether at the instance of such other marine or not, or of causing himself to be maimed or injured by any other person, with intent thereby to render himself or such other marine unfit for service, of tampering with his eyes with intent thereby to render himself unfit for service, such finding having been confirmed, or found guilty by a jury of felony in any court of ordinary criminal jurisdiction in England or Ireland, or of any crime or offence in any court of criminal judicature in any part of the United Kingdom, or in any dominion, territory, colony, settlement, or island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed in England, amount to felony, shall thereupon forfeit all advantage as to additional pay, good-conduct pay, and to pension on discharge which might have otherwise accrued from the length of his former service, in addition to any punishment which such court may award; and every marine who may be so convicted, or who may be sentenced to penal servitude, or discharged with ignominy, shall thereupon likewise forfeit all medals which he may be in possession of, whether for sea or field service or for good conduct, together with any annuity or pension or gratuity, if any, thereto appertaining; and any sergeant reduced to the ranks by sentence of court-martial may, by the order of the same court, be made to forfeit any annuity or pension and medal for meritorious service, or any or either of them, which may have been conferred upon him.

Forfeiture of pay when in confinement;

33. If any non-commissioned officer or marine, by reason of his imprisonment, whether under sentence of a court-martial or of any other court duly authorised to pass such sentence, or by reason of his confinement for debt, or by reason of his desertion, or, being an apprentice, by reason of his being allowed to serve out his time with his master, shall have been absent from his duty during any portion of the time limited by his enlistment or re-engagement or prolongation of service, as herein-after provided, such portion of his time shall not be reckoned as a part of the limited service for which such non-commissioned officer or marine was enlisted or re-engaged, or for which his time of service may have been prolonged; and no marine shall be entitled to pay, or to reckon service towards pay or pension, when in confinement under a sentence of any court, or during any absence from duty by commitment or confinement as a deserter by confession or under any charge of

or during absence on commitment under a charge, or in arrest for debt;

which he shall be afterwards convicted, either by court-martial or by any court of ordinary criminal jurisdiction, or whilst in confinement for debt; and when any marine shall be absent as a prisoner of war he shall not be entitled to pay, or to reckon service towards pay or pension, for the period of such absence, but upon rejoining Her Majesty's service due inquiry shall be made by a court-martial, and unless it shall be proved to the satisfaction of such court that the said marine was taken prisoner through wilful neglect of duty on his part, or that he had served with or under, or in some manner aided, the enemy, or that he had not returned as soon as possible to Her Majesty's service, he may thereupon be recommended by such court to receive either the whole of such arrears of pay, or a proportion thereof, and to reckon service during his absence; and any marine who shall be convicted of desertion, or of absence without leave, shall, in addition to any punishment awarded by the court, forfeit his pay for the day or days during which he was in a state of desertion, or during his absence without leave; and if any marine shall absent himself without leave for any period, and shall not account for the same to the satisfaction of the commanding officer, or if any marine shall be guilty of any other offence which the commanding officer may not think necessary to bring before a court-martial, the commanding officer may, in addition to any minor punishment he is authorised to award, order that such marine shall be imprisoned for such period not exceeding one hundred and sixty-eight hours, with or without hard labour, and with or without solitary confinement, as the said commanding officer may think fit, and such marine shall forfeit his pay for any day or days on which he may be so imprisoned; and the said commanding officer may moreover order that, in addition to or instead of such imprisonment and forfeiture, or any other punishment which he has authority to inflict, any marine who shall have so absented himself as aforesaid shall forfeit his pay for the day or days during which he shall have so absented himself; and, in pursuance of any such order as aforesaid, the pay of the marine shall be accordingly forfeited: Provided always, that such marine shall not be liable to be afterwards tried by a court-martial for any offence for which he shall have been so punished, ordered to suffer imprisonment, punishment, or forfeiture as last aforesaid: Provided also, that any marine who shall be so ordered to suffer imprisonment or forfeiture of pay shall, if he so request, have a right to be tried by a court-martial for his offence, instead of submitting to such imprisonment or forfeiture: Provided also, that it shall be lawful for the said Lord High Admiral or the said Commissioners to order or withhold the payment of the whole or any part of the pay of any officer or marine during the period of absence by any of the causes aforesaid.

or when prisoner of war;

or when convicted of desertion or absence without leave;

or when absent without leave.

34. In addition to any other punishment which the court may award, a court-martial may further direct that any

Stoppages.

offender may be put under stoppages until he shall have made good—

Any bounty fraudulently obtained by him by desertion from his corps and enlisting in some other corps or in the militia:

Any loss, disposal of, or damage occasioned by him in any of the instances of disgraceful conduct herein specified:

Any loss, disposal of, or destruction of, or damage or injury to any property whatsoever, occasioned by his wilful or negligent misconduct:

Any loss, disposal of, or destruction of, or damage or injury to his arms, clothing, instruments, equipments, accoutrements, or necessaries, or any extra article of clothing or equipment that he may have been put in possession of and ordered to wear on the recommendation of the surgeon for the benefit of his health, or making away with or pawning any medal or decoration for service or for general good conduct which may have been granted to him by order of Her Majesty or by order of the East India Company, or any medal or decoration which may have been granted to him by any foreign power, or any loss, disposal of, or destruction of, or damage or injury to the arms, clothing, instruments, equipments, accoutrements, or necessaries of any officer or marine, occasioned by his wilful or negligent misconduct:

Any expense necessarily incurred by his drunkenness or other misconduct:

Provided always, that, except in the case of the loss, disposal of, or destruction of, or damage or injury to arms, clothing, instruments, equipments, accoutrements, or necessaries, in which case the court may by its sentence direct that the said stoppages shall continue till the cost of replacing or repairing the same be made good, the amount of any loss, disposal, destruction, damage or injury, or expense, shall be ascertained by evidence, and the offender shall be placed under stoppages for such an amount only as shall be proved to the satisfaction of the court: Provided also, that when an offender is put under stoppages for making away with or pawning any medal or decoration, the amount shall be credited to the public, but the medal or decoration in question shall not be replaced, except under special circumstances, to be determined by the Lord High Admiral or the Commissioners for executing the office of Lord High Admiral aforesaid: Provided also, that so much only of the pay of the marine may be stopped and applied as shall, after satisfying the charges for messing and washing, leave him a residue at the least of one penny a day.

Discharge with ignominy.

35. Whenever any marine shall have been convicted of desertion or of any such disgraceful conduct as is hereinbefore described, and the court in respect of such disgraceful conduct shall have made the forfeiture of all claim to pension on discharge a part of the sentence passed on such marine,

such court may further sentence him to be discharged with ignominy from Her Majesty's service: Provided always, where an award of any of the forfeitures herein-before mentioned, or of deprivation of pay, or of stoppages of pay, shall have been added to a sentence of transportation or penal servitude, it shall be lawful for the Lord High Admiral or the Commissioners for executing the office of Lord High Admiral, or, if in the East Indies, for the officer commanding in chief Her Majesty's land forces in India, in the event of the sentence of transportation or penal servitude being commuted to imprisonment, to order such award of forfeiture, deprivation of pay, or stoppages of pay to be enforced, mitigated, or remitted as may be deemed expedient.

Marking deserters or marines discharged with ignominy.

36. On the first and on every subsequent conviction for desertion the court-martial, in addition to any other punishment, may order the offender to be marked, two inches below and one inch in rear of the nipple of the left breast, with the letter D, such letter not to be less than an inch long, and to be marked upon the skin with some ink or gunpowder or other preparation, so as to be clearly seen and not liable to be obliterated; a court-martial may, upon sentencing any offender to be discharged with ignominy, also sentence him to be marked on the right breast with the letters B.C., and the confirming officer may order such sentence in respect of the marking to be carried into effect.

Power of imprisonment by different kinds of courts-martial.

37. A general or district or garrison court-martial may sentence any marine to imprisonment, with or without hard labour, and may also direct that such offender shall be kept in solitary confinement for any portion or portions of such imprisonment, in no case exceeding fourteen days at a time, nor eighty-four days in any one year, with intervals between the periods of solitary confinement of not less duration than such periods; and when the imprisonment awarded shall exceed three months, the court-martial shall imperatively order that the solitary confinement shall not exceed seven days in any one month of the whole imprisonment awarded, with intervals between the periods of solitary confinement of not less duration than such periods; and any divisional or detachment court-martial may sentence any marine to imprisonment, with or without hard labour, for any period not exceeding forty-two days, and may also direct that such marine be kept in solitary confinement for any portion or portions of such imprisonment, not exceeding fourteen days at a time, with intervals between them of not less duration than such periods of solitary confinement: Provided always, that when any court-martial, whether general, garrison, or district, or divisional or detachment, shall direct that the imprisonment shall be solitary confinement only, or when any sentence of corporal punishment shall have been commuted to imprisonment only, the period of such solitary confinement shall in no case exceed fourteen days.

Imprisonment of offender already under sentence.

38. Whenever sentence shall be passed by a court-martial on an offender already under sentence, either of imprisonment or of penal servitude, the court may award sentence of imprisonment or penal servitude for the offence for which he is under trial to commence at the expiration of the imprisonment or penal servitude to which he shall have been so previously sentenced, although the aggregate of the terms of imprisonment or penal servitude respectively may exceed the term for which either of those punishments could be otherwise awarded.

Whenever Her Majesty, the Lords Commissioners of the Admiralty, or any general or other officer authorised to confirm the sentences of courts-martial shall commute a sentence of penal servitude or corporal punishment to imprisonment, and the offender whose sentence shall be so commuted shall at the time of such commutation be under sentence of imprisonment or penal servitude, it shall be lawful to direct that such commuted sentence of imprisonment shall commence at the expiration of the imprisonment or penal servitude to which such prisoner shall have been so previously sentenced, although the aggregate of the term of imprisonment or penal servitude respectively may exceed the term for which either of those punishments could be otherwise awarded.

Term and place of imprisonment.

39. Save as herein specially provided, every term of penal servitude or imprisonment under the sentence of a court-martial, whether original or revised, shall be reckoned as commencing on the day on which the original sentence and proceedings shall be signed by the president; and the place of imprisonment under the sentences of courts-martial shall be appointed by the court or the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, or the commanding officer of the division to which the offender belongs or is attached, or the officer commanding the district, garrison, island, or colony.

Proviso for removal of prisoners.

40. In the case of a prisoner undergoing imprisonment under sentence of a court-martial, or as part of commuted punishment, in any public prison other than a military prison, or in any gaol or house of correction or elsewhere, in any part of the United Kingdom, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, for the time being, in all cases, or for the officer who confirmed the proceedings of the court, or the officer commanding the division or the district or garrison in which such prisoner may be, to give, as often as occasion may arise, an order in writing directing that the prisoner be discharged, or be delivered over to military custody, whether for the purpose of being removed to some other prison or place in the United Kingdom, there to undergo the remainder or any part of his sentence, or for the purpose of being brought before a court-martial either as a witness or for trial; and in the case of a prisoner undergoing imprisonment under the sentence of

a court-martial in any public prison other than a military prison, or in any gaol or house of correction, in any part of Her Majesty's dominions other than the United Kingdom, it shall be lawful for the said Lord High Admiral or the said Commissioners, or for the officer commanding the Royal Marines there serving, in the case of any such prisoner, to give as often as occasion may arise an order in writing directing that the prisoner be discharged, or be delivered over to military or other custody, whether for the purpose of being removed to some other prison or place in any part of Her Majesty's dominions, there to undergo the remainder or any part of his sentence, or for the purpose of being brought before a court-martial either as a witness or for trial; and in the case of any prisoner who shall be removed by any such order from any such prison, gaol, or house of correction, either within the United Kingdom or elsewhere, to some other prison or place, either in the United Kingdom or elsewhere, the officer or authorities who gave such order shall also give an order in writing directing the governor, provost marshal, gaoler, or keeper of such other prison or place to receive such prisoner into his custody, and specifying the offence of which such prisoner shall have been convicted, and the sentence of the court, and the period of imprisonment which he is to undergo, and the day and the hour on which he is to be released; and such governor, provost marshal, gaoler, or keeper shall keep such offender in a proper place of confinement, with or without hard labour, and with or without solitary confinement, according to the sentence of the court, and during the time specified in the said order, or until he be duly discharged or delivered over to other custody before the expiration of that time under an order duly made for that purpose; and in the case of a prisoner undergoing imprisonment under the sentence of a court-martial in any military prison in any part of Her Majesty's dominions, the Secretary of State for War, or the general officer commanding the district or station in which the prison may be situated, shall have the like powers in regard to the discharge and delivery over of such prisoners to military or other custody as may be lawfully exercised by any of the authorities above mentioned in respect of any prisoners undergoing confinement as aforesaid in any public prison other than a military prison, or in any gaol or house of correction in any part of Her Majesty's dominions; and such prisoner in any of the cases herein-before mentioned shall accordingly, on the production of any such order as is herein-before mentioned, be discharged or delivered over, as the case may be: Provided always, that the time during which any prisoner under sentence of imprisonment by a court-martial shall be detained in such military or other custody under such order as aforesaid shall be reckoned as imprisonment under the sentence, for whatever purpose such detention shall take place, and such prisoner may during such time, either when on board ship or otherwise, be

subjected to such restraint as is necessary for his detention and removal.

Custody of prisoners under military sentence in common gaols.

41. Every governor, provost marshal, gaoler, or keeper of any public prison, or of any gaol or house of correction, in any part of Her Majesty's dominions, shall receive into his custody any military offender under sentence of imprisonment by a general or other court-martial, upon delivery to him of an order in writing in that behalf from the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, or from the officer commanding the division or detachment to which the offender belongs or did last belong or is attached, which order shall specify the period of imprisonment or remainder of imprisonment which the offender is to undergo, and the day and hour of the day on which he is to be released or be otherwise disposed of; and such governor, provost marshal, gaoler, or keeper shall keep such offender in a proper place of confinement, with or without hard labour, and with or without solitary confinement, according to the sentence of the court, and during the time specified in the said order, or until he be discharged or delivered over to other custody before the expiration of that time, under an order duly made for that purpose; and whenever marines are called out in aid of the civil power, or are stationed in billets, or are on the line of march, every governor, provost marshal, gaoler, or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement shall receive into his custody any marine for a period not exceeding seven days, upon delivery to him of an order in writing in that behalf from the officer commanding such marine; and any governor, provost marshal, gaoler, or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement who shall refuse to receive and to confine, or to discharge or deliver over, any marine offender in the manner herein prescribed, shall forfeit for every such offence the sum of one hundred pounds.

Subsistence of prisoners in common gaols.

42. The gaoler or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement in any part of Her Majesty's dominions shall diet and supply every marine imprisoned therein under the sentence of a court-martial or as a deserter with fuel and other necessaries according to the regulations of such place of confinement, and shall receive on account of every marine during the period of his imprisonment one shilling per diem, or such other sum as the said Lord High Admiral or the said Commissioners may at any time or times direct, which the Secretary of the Admiralty shall cause to be issued out of the subsistence of such marine, upon application in writing signed by any justice within whose jurisdiction such place of confinement shall be locally situated, together with a copy of the order of commitment, and which sum of sixpence per diem, or such other sum as aforesaid, shall

be carried to the credit of the fund from which the expense of such place of confinement is defrayed.

Notice to be given of expiration of imprisonment in common gaols.

43. Every gaoler or keeper of any public prison, gaol, house of correction, or other place of confinement, to whom any notice shall have been given, or who shall have reason to know or believe, that any person in his custody for any debt or contempt, or upon any charge or for any offence, civil, criminal, or military, is a marine, shall on receiving him into custody give notice thereof to the Secretary of the Admiralty, and also, previous to the expiration of the period of the confinement or imprisonment of such marine, give to the Secretary of the Admiralty one month's notice of the period of such expiration of confinement or imprisonment, or if there shall not be sufficient time for a month's notice, then the longest practicable notice thereof, specifying the day and hour of the day on and at which he is to be released; and for every default of giving either or any of such notices such gaoler or person shall forfeit the sum of twenty pounds; and moreover every gaoler or other person having such immediate inspection as aforesaid shall, as soon as any such marine shall be entitled to be discharged out of custody, with all convenient speed, safely and securely conduct and convey and safely and securely deliver every such marine either unto the officer commanding at the nearest head quarters of the Royal Marines or to the officer commanding Her Majesty's ship to which any such marine may happen to belong, unless the said Commissioners shall, by writing under the hand of the Secretary of the Admiralty, or the officer commanding at the nearest head quarters of the Royal Marines, or the officer commanding Her Majesty's ship to which any such marine may belong, shall, by writing under his hand, direct that such marine be delivered to some other officer or person, in which case he shall be delivered to such other officer or person accordingly, and the officer or person to whom such marine shall be so delivered in accordance with this Act shall thereupon give to such gaoler or person delivering up such marine a certificate, directed to the Secretary of the Admiralty, specifying the receipt of such marine, and, if such gaoler or other person as aforesaid has conducted or conveyed any such marine, specifying the place from and to which he shall have been conducted and conveyed as aforesaid; and such gaoler or person who shall have so conducted, conveyed, and delivered any such marine shall, upon the production of such certificate, be entitled to receive of and from the Accountant General of Her Majesty's Navy the sum of one shilling per mile, and no more, for conducting, conveying, and delivering any such marine as aforesaid; and every such gaoler or other person having such immediate inspection as aforesaid who shall not safely and securely conduct, convey, or deliver any such marine as aforesaid shall for every such misconduct or offence forfeit and pay the sum of one hundred pounds. In all cases where the marine in custody is under sentence to be

discharged from the service on the completion of his term of imprisonment, and the discharge document is in the hands of the gaoler, such gaoler shall not be required to make any report thereof to the Secretary of the Admiralty or to the Deputy Adjutant General of Marines.

Military prisons established under any Act for punishing mutiny and desertion in the army to be deemed public prisons.

44. Every military prison which shall be established under or by virtue of any Act for punishing mutiny and desertion, and for the better payment of the army and their quarters, shall be deemed to be public prisons within the meaning of any Act now in force or hereafter to be in force for the regulation of Her Majesty's Royal Marine forces; and any officer or marine convicted by a court-martial may be sent, by order of the Commissioners for executing the office of Lord High Admiral, to any such military prison, there to undergo such punishment as may be awarded by the sentence passed upon him, or until he be discharged or delivered up by an order, as in the case of a discharge or removal from any other prison under this Act.

Musters, and penalty on false musters.

45. Musters, as have been customary, shall be taken of every division or company of Royal Marines once in every calendar month, as shall be appointed; and no officer or marine shall be absent from any such muster, unless duly certified to be employed on some other duty of the corps, or sick, or in prison, or on furlough; and every person belonging to Her Majesty's service who shall give or procure to be given any untrue certificate thereby to excuse any person from any muster or other service which he ought to attend or perform, or shall make any false or untrue muster of man or horse, or who shall willingly allow or sign any false muster or duplicate thereof, or shall directly or indirectly take or receive any money or gratuity for mustering any person, or for signing any muster roll or duplicate, or shall knowingly muster any person by a wrong name, shall, upon proof by two witnesses before a general court-martial, for any such offence be sentenced to be cashiered: Provided that it shall be lawful for Her Majesty, in all cases whatsoever, instead of causing a sentence of cashiering to be put in execution, to order the offender to be reprimanded, or, in addition thereto, to suffer such loss of rank as may be deemed expedient; and any person who shall fraudulently offer or procure himself to be falsely mustered, or lend or furnish any horse to be falsely mustered, shall, upon proof thereof by the oaths of two witnesses before some justice of the peace residing near to the place where such muster shall be made, forfeit the sum of twenty pounds, and the informer, if he belongs to Her Majesty's service, shall, if he demand it, be forthwith discharged; and if any person not belonging to Her Majesty's service shall give or sign any untrue certificate of illness or otherwise in order to excuse any officer or marine from appearance at any muster, or whereby Her Majesty's service may be defrauded, every person so offending shall for every such offence forfeit the sum of fifty pounds.

Verifying of muster rolls.

46. All muster rolls and pay lists of Royal Marines required to be verified upon oath shall be sworn before and attested by any justice of the peace, without fee or reward to himself or his clerk.

Trials for desertion after subsequent re-enlistment.

47. Every marine shall be liable to be tried and punished for desertion from any corps into which he may have unlawfully enlisted, although he may of right belong to another corps, and be a deserter therefrom; and whether such marine shall be tried for deserting from the corps to which he may of right belong, or from the corps into which he may have unlawfully enlisted, or for any other desertion, every desertion previous or subsequent to that for which he may at the time be taking his trial may, if duly stated in the charges, be given in evidence against him on such trial.

Apprehension of deserters.

48. Upon reasonable suspicion that a person is a deserter it shall be lawful for any constable, or if no constable can be immediately met with, then for any officer or marine or soldier in Her Majesty's service, or other person, to apprehend or cause to be apprehended such suspected person, and forthwith to bring him or cause him to be brought before any justice living in or near the place where he was so apprehended, and acting for the county, city, district, place, or borough wherein such place is situate, or for the county adjoining such first-mentioned county or such borough; and such justice is hereby authorised and required to inquire whether such suspected person is a deserter, and from time to time to defer the said inquiry, and to remand the said suspected person, in the manner prescribed by an Act passed in the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-two, section twenty-one, and subject to every provision therein contained; and if it shall appear to the satisfaction of such justice, by the testimony of one or more witnesses taken upon oath, or by the confession of such suspected person, confirmed by some corroborative evidence upon oath, or by the knowledge of such justice, that such suspected person is a deserter, such justice shall forthwith cause him to be conveyed in civil custody to the head quarters or depôt of the division to which he belongs, if stationed within a convenient and easily accessible distance from the place of commitment, or if not so stationed then to the nearest or most convenient public prison (other than a military prison) or police station legally provided as the lock-up house for temporary confinement of persons taken into custody, whether such prison or police station be in the county or borough in which such suspected person was apprehended or in which he was committed, or not; or if the deserter has been apprehended by a party of marines in charge of a commissioned officer, such justice may deliver him up to such party, unless the officer shall deem it necessary to have the deserter committed to prison for safe custody; and such justice shall transmit an account of the proceedings, in the form prescribed in the schedule annexed to this Act, to the Secretary of the

Admiralty, specifying thereon whether such deserter was delivered to a party of marines in order to his being taken to the head quarters or depôt of his division, or whether such deserter was committed to prison, to the end that the person so committed may be removed by an order from the said Lord High Admiral, or the said Commissioners for executing the office of Lord High Admiral, or deputy adjutant general of Royal Marines, and proceeded against according to law; and such justice shall also send to the Secretary of the Admiralty a report stating the names of the persons by whom or by or through whose means the deserter was apprehended and secured, and the Secretary of the Admiralty shall transmit to such justice an order upon the proper department for the payment of the sum of twenty shillings as a reward to the person so certified to be entitled thereto; and for such information, commitment, and report as aforesaid the clerk of the said justice shall be entitled to a fee of two shillings and no more; and every gaoler and other person into whose custody any person charged with desertion is committed shall, immediately upon the receipt of the person so charged into his custody, pay such fee of two shillings, and also, upon the production of a receipt from the medical practitioner who may have been required to examine such suspected person, a fee of two shillings and sixpence, and shall notify the fact to the Secretary of the Admiralty, and transmit also to the Secretary of the Admiralty a copy of the commitment, to the end that the Secretary of the Admiralty may order repayment of such fees; and that when any such person shall be apprehended and committed as a deserter in any part of Her Majesty's foreign dominions, the justice shall forthwith cause him to be conveyed to some public prison, if the detachment to which he is suspected to belong shall not be in such part, or if the detachment be in such part, the justice may deliver him into custody at the nearest military post, although the detachment to which such person is suspected to belong may not be stationed at such military post, if within reasonable distance; and such justice shall in every case transmit to the officer commanding a description return in the form prescribed in the schedule to this Act annexed, to the end that such person may be removed by the order of such officer, and proceeded against according to law; and such description return, purporting to be duly made and subscribed in accordance with the Act, shall, in the absence of proof to the contrary, be deemed sufficient evidence of the facts and matters therein stated: Provided always, that any such person so committed as a deserter in any part of Her Majesty's dominions shall, subject to the provisions herein-after contained, be liable to be transferred, by order of the colonel commandant or other officer commanding, to serve in any division, corps, detachment, or party nearest to the place where he shall have been apprehended or to any other division, corps, detachment, or party to which the

Transfer of deserters.

Lord High Admiral or the Commissioners for executing the office of Lord High Admiral may deem it desirable that he should be transferred, and shall also be liable after such transfer of service to be tried and punished as a deserter.

Penalty on marines attempting to desert from head quarters.

49. For and in respect of any marine attempting to desert from any head quarters, the party or parties by whom he shall be apprehended shall be entitled to a reward of ten shillings, to be paid upon the delivering up of such marine, which sum of ten shillings shall be charged against and stopped and retained out of the pay and subsistence of every such marine.

Temporary custody of deserters in gaols.

50. Every gaoler or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement in any part of Her Majesty's dominions is hereby required to receive and confine therein every deserter who shall be delivered into his custody by any marine or other person conveying such deserter under lawful authority, on production of the warrant of the justice of the peace on which such deserter shall have been taken, or some order from the Admiralty, which order shall continue in force until the deserter shall have arrived at his destination; and such gaoler or keeper shall be entitled to one shilling for the safe custody of the said deserter while halted on the march, and to such subsistence for his maintenance as shall be directed by the said Lord High Admiral or the said Commissioners.

Fraudulent confession of desertion.

51. Any person who, while serving in Her Majesty's Navy or in any of Her Majesty's forces, or the embodied militia, shall to any officer, or subordinate, warrant, petty, or non-commissioned officer, fraudulently confess himself to be a deserter from Her Majesty's Royal Marine forces, shall be liable to be tried by any court-martial under this Act, and punished according to the sentence thereof; and any person who shall voluntarily deliver himself up as and confess himself to be a deserter from Her Majesty's Royal Marine forces, or who, upon being apprehended for any offence, shall in the presence of the justice confess himself to be a deserter as aforesaid, shall be deemed to have been duly enlisted and to be a marine, and shall be liable to serve in Her Majesty's Royal Marine forces, whether such person shall have been ever actually enlisted as a marine or not; or in case such person shall not be a deserter from the Royal Marine forces, or shall have been discharged therefrom or from any other corps for any cause whatever, or shall be incapable of service, he shall, on conviction thereof before two justices of the peace at or near the place where he shall deliver himself up or confess, or where he may at any time happen to be, be adjudged to be punished, if in England, as a rogue and vagabond, and if elsewhere by commitment to some prison or house of correction, there to be kept to hard labour for any time not exceeding three months, or shall be deemed guilty of obtaining money under false pretences within the true intent and meaning, if in England or Ireland, of an Act passed in the session holden in the twenty-fourth and twenty-fifth years

24 & 25 Vict. c. 96.

of Queen Victoria, intituled "An Act to consolidate and amend "the Statute Law of England and Ireland relating to Larceny "and other similar offences," or, if in Scotland, shall be deemed guilty of falsehood, fraud, and wilful imposition; and every person so deemed to be guilty of obtaining money under false pretences, or of falsehood, fraud, and wilful imposition, (as the case may be,) shall be liable to be proceeded against and punished accordingly; and the confession and receiving subsistence as a marine by such person shall be evidence of the false pretence, or of the falsehood, fraud, and imposition, (as the case may be,) and of the obtaining money to the amount of the value of such subsistence, and the value of such subsistence so obtained may be charged in the indictment as so much money received by such person; and in case such person shall have been previously convicted of the like offence, or shall have been summarily convicted and punished in England as a rogue and vagabond, or in Scotland or Ireland by commitment, for making a fraudulent confession of desertion, such former conviction may be alleged in the indictment, and may be proved upon the trial of such person; and in such indictment for a second offence it shall be sufficient to state that the offender was at a certain time and place convicted of obtaining money under false pretences as a deserter, for making a fraudulent confession of desertion, without otherwise describing the said offence; and a certificate containing the substance and effect only (omitting the formal part) of the indictment and conviction of the former offence, purporting to be signed by the clerk of the court or other officer having the custody of the record of the court where the offender was first convicted, or by the deputy of such clerk, or by the clerk of the convicting magistrates, shall, upon proof of the identity of the person of the offender, be sufficient evidence of the first conviction, without proof of the signature or official character of the person appearing to have signed such certificate; and if the person so confessing himself to be a deserter shall be serving at the time in Her Majesty's Royal Marine forces he shall be deemed to be and shall be dealt with by all justices and gaolers as a deserter.

Punishment for inducing marines to desert.

52. Any person who shall, in any part of Her Majesty's dominions, by any means whatsoever, directly or indirectly procure any marine to desert or absent himself from his duty without leave from his commanding officer, or attempt to procure or persuade any marine to desert or absent himself from his duty, and any person who, knowing that any marine is absent from his duty without leave from his commanding officer, shall harbour or conceal such marine, or aid or assist such marine in concealing himself, or aid and assist in his rescue, or aid or assist him to desert, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof before any two justices acting for the county, district, city, burgh, or place where any such offender shall at any time happen to be, be liable to be committed to the common gaol or house of correc-

tion, there to be imprisoned, with or without hard labour, for such term not exceeding six calendar months as the convicting justices shall think fit.

Extension of furlough in case of sickness.

53. When there shall not be any officer of Her Majesty's land or marine forces of the rank of captain or of a superior rank, or any adjutant of militia, within convenient distance of the place where any non-commissioned officer or marine, not borne on the books of any of Her Majesty's ships or vessels in commission as aforesaid, and who shall be on furlough, shall be detained by sickness or other casualty rendering necessary an extension of such furlough, it shall be lawful for any justice who shall be satisfied of such necessity to grant an extension of furlough for a period not exceeding one month; and the said justice shall immediately certify such extension, and the cause thereof, to the commanding officer of the division or detachment to which the man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary allowance of pay and subsistence may be remitted to the marine, who shall not during the period of such extension of furlough be liable to be treated as a deserter: Provided always, that nothing herein contained shall be construed to exempt any marine from trial and punishment according to the provisions of this Act for any false representation made by him in that behalf to the said officer or justice so extending the furlough, or for any breach of discipline committed by him in applying for and obtaining the said extension of furlough.

Marines liable to be taken out of Her Majesty's service only for felony and certain misdemeanors, or for debts amounting to 30*l.* and upwards;

54. Any person enlisted into Her Majesty's Royal Marine forces as a marine, or who has received marine enlistment money, shall be liable to be taken out of Her Majesty's service only by process or execution on account of any charge of felony, or on account of misdemeanor, or of any crime or offence other than the misdemeanor of refusing to comply with an order of justices for the payment of money, or on account of an original debt proved by affidavit of the plaintiff or of some one on his behalf to amount to the value of thirty pounds at the least over and above all costs of suit, such affidavit to be sworn, without payment of any fee, before some judge of the court out of which process or execution shall issue, or before some person authorised to take affidavits in such court, of which affidavit, when duly filed in such court, a memorandum shall, without fee, be endorsed upon the back of such process, stating the fact sworn to, and the day of filing such affidavit; but no marine or other person as aforesaid shall be liable by any process whatever to appear before any justice of the peace or other authority whatsoever, or to be taken out of Her Majesty's service by any writ, summons, order, warrant, judgment, execution, or any process whatever issued by or by the authority of any court of law, or any magistrate, justice or justices of the peace, or any other authority whatsoever, for any original debt not amounting to thirty pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left

but not liable to be taken out of Her Majesty's service for debts under 30*l.*, or for not maintaining their families, or for breach of contract.

chargeable to any parish, township, or place, or to the common fund of any union, any relation or child which such marine or person might, if not in Her Majesty's service, be compellable by law to relieve or maintain, or for neglecting to pay to the mother of any bastard child, or to any person who may have been appointed to have the custody of such child, any sum to be paid in pursuance of an order in that behalf, or for the breach of any contract, covenant, agreement, or other engagement whatever, by parol or in writing, or for having left or deserted his employer or master, or his contract, work, or labour; and all summonses, warrants, commitments, indictments, convictions, judgments, and sentences, on account of any of the matters for which it is herein declared that a marine is not liable to be taken out of Her Majesty's service, shall be utterly illegal, and null and void to all intents and purposes; and any judge of any such court may examine into any complaint made by a marine or by his superior officer, and by warrant under his hand discharge such marine, without fee, he being shown to have been arrested contrary to the intent of this Act, and shall award reasonable costs to such complainant, who shall have for the recovery thereof the like remedy as would have been applicable to the recovery of any costs which might have been awarded against the complainant in any judgment or execution as aforesaid, or a writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the discharge of any such marine out of custody shall be ordered thereupon; provided that any plaintiff, upon notice of the cause of action first given in writing to any marine or left at his last quarters, may proceed in any action or suit to judgment, and have execution other than against the body or marine necessaries or equipments of such marine: Provided also, that nothing herein contained relating to the leaving or deserting a master or employer, or to the breach of any contract, agreement, or engagement, shall apply to persons who shall be really and bonâ fide apprentices duly bound under the age of twenty-one years, as herein prescribed.

Officers not to be sheriffs, mayors, &c.

55. No person who shall be commissioned and in full pay as an officer in the Royal Marine forces, or who shall be employed in enlisting for such forces, shall be capable of being nominated or elected to be sheriff, and no such officer and no non-commissioned officer of such forces shall be capable of being nominated or elected to be a constable, or overseer, guardian of any union, or any officer of a like description, of any county, hundred, riding, city, borough, town, division, parish, or other place, or to be mayor, portreeve, alderman, or to hold any office in any municipal corporation in any city, borough, or place in Great Britain or Ireland, or be summoned or shall serve as a grand or petit or other juror or upon any inquest, and any summons for him to attend to serve as a grand or petit or other juror or upon an inquest shall be null and void; and every such person is hereby exempted from

attendance and service in accordance with any such summons and from all fines, pains, and penalties for or in consequence of not attending or serving as aforesaid.

Questions to be put to recruits on enlisting.

56. Every person authorised to enlist recruits for the Royal Marines shall first ask the person offering to enlist whether he belongs to the militia, and also such other questions as the said Lord High Admiral or the said Commissioners may direct to be put to recruits, and shall, immediately after giving him enlisting money, serve him with a notice in the form set forth in the schedule to this Act annexed.

Recruits when deemed to be enlisted.

57. Every person who shall receive enlisting money in manner aforesaid shall upon such receipt be deemed to be enlisted as a marine in Her Majesty's service, and while he shall remain with the recruiting party shall be entitled to be billeted.

When recruits to be taken before a justice.

58. Every person so enlisted as aforesaid shall, within ninety-six hours (any intervening Sunday, Christmas Day, or Good Friday not included), but not sooner than twenty-four hours after such enlistment, appear, together with some person employed in the recruiting service, before a justice of the peace, not being an officer of the marines, for the purpose of being attested as a marine, or of objecting to his enlistment.

Dissent and relief from enlistment.

59. When a recruit, upon appearing before a justice for the purposes aforesaid, shall dissent from or object to his enlistment, and shall satisfy the justice that the same was effected in any respect irregularly, he shall forthwith discharge the recruit absolutely, and shall report such discharge to the commandant of the division for which the marine shall have enlisted; but if the recruit so dissenting shall not allege or shall not satisfy the justice that the enlistment was effected irregularly, nevertheless upon repayment of the enlisting money and of any sum received by him in respect of pay, and of a further sum of twenty shillings as smart money, he shall be entitled to be discharged; and the sum paid by such recruit upon his discharge shall be kept by the justice, and, after deducting therefrom one shilling as the fee for reporting the payment to the Secretary of the Admiralty and to the said commandant, shall be paid over to any person belonging to the recruiting party who may demand the same; and the justice who shall discharge any recruit shall in every case give a certificate thereof, signed with his hand, to the recruit, specifying the cause thereof.

Attesting of recruits.

60. If the recruit on appearing before a justice shall not dissent from his enlistment, or dissenting shall within twenty-four hours return and state that he is unable to pay the sums mentioned in the last section, he shall be attested as follows: the justice, or some person deputed by him, shall read to the recruit the questions set forth in the form contained in the schedule to this Act annexed, cautioning him that if he fraudulently make any false answer thereto he shall be liable to be punished as a rogue and vagabond, and the answers

of the recruit shall be recorded opposite to the said questions, and the justice shall require the recruit to make and sign the declaration in the said form, and shall then administer to him the oath of allegiance in the said form; and when the recruit shall have signed the said declaration and taken the oath, the justice shall attest the same by his signature, and shall deliver to the recruiting officer the declaration so signed and attested, and the fee for such attestation, including the declaration and oath, shall be one shilling and no more; and any recruit shall, if he so wish, be furnished with a certified copy of the above-mentioned declaration by the officer who finally approved of him for the service.

Recruits until they have been attested or received pay not triable by court-martial, but in certain cases punishable as rogues and vagabonds.

61. No recruit, unless he shall have been attested or shall have received pay other than enlisting money, shall be liable to be tried by court-martial; but if any recruit, previously to his being attested, shall by means of any false answer obtain enlistment money, or shall make any false statement in his declaration, or shall refuse to answer any question duly authorised to be put to recruits for the purpose of filling up such declaration, or shall refuse or neglect to go before a justice for the purposes aforesaid, or having dissented from his enlistment shall wilfully omit to return and pay such money as aforesaid, in any of such cases it shall be lawful for any two justices within the United Kingdom, or for any one justice out of the United Kingdom, acting for the county, district, city, burgh, or place where any such recruit shall at any time happen to be, when he shall be brought before them or him, if in England, to adjudge him to be a rogue and vagabond, and to sentence him to be punished accordingly, and if in Scotland or Ireland, or elsewhere in Her Majesty's dominions, to be imprisoned with hard labour in any prison or house of correction for any period not exceeding three calendar months; and the declaration made by the recruit on his attestation, purporting to be made and subscribed in accordance with the schedule to this Act annexed, shall, in the absence of proof to the contrary, be deemed sufficient evidence of such recruit having represented the several particulars as stated in such declaration; and any marine who shall have given any false answer at the time of or relative to his becoming a marine shall forfeit all pay, wages, and other moneys, be the same naval, marine, or otherwise, which he might otherwise have been entitled to for any period of service in the Royal Marines.

Attested recruits triable in some cases either before two justices or before a court-martial.

62. Any recruit who shall have been attested, and who shall afterwards be discovered to have given any wilfully false answer to any question directed to be put to recruits, or shall have made any wilfully false statement in the declaration herein-before mentioned, shall be liable, at the discretion of the said Lord High Admiral or the said Commissioners, to be proceeded against before two justices in the manner herein-before mentioned, and by them sentenced accordingly, or to be tried

by a district or garrison court-martial for the same, and punished in such manner as such court shall direct.

Recruits absconding.

63. If any recruit shall abscond so that it is not possible immediately to apprehend and bring him before a justice for attestation, the recruiting party shall produce to the justice before whom the recruit ought regularly to have been brought for that purpose a certificate of the name and place of residence and description of such recruit and of his having absconded, and shall declare the same to be true, and the justice to whom such certificate shall be produced shall transmit a duplicate thereof to the Secretary of the Admiralty in order that the same may appear in the Police Gazette.

As to militiamen enlisting into regular forces.

64. If any man while belonging to a militia regiment shall enlist in and be attested for Her Majesty's Royal Marines, he shall be liable to be tried before a court-martial on a charge for desertion; but it shall be lawful for the Secretary of State for War, on the confession thereof by such militiaman, or on other proof thereof, to order that in lieu of his being so tried he shall be subjected to a stoppage of one penny a day of his pay for eighteen calendar months, to be applied as the Secretary of State for War shall direct, and further to determine whether such man shall be returned to his militia regiment after such sum shall have been made good, or shall be deemed to be a marine in the same manner as he would have been if he had not been a militiaman at the time of his attestation: Provided also, that every soldier who, while belonging to a militia regiment, enlisted in Her Majesty's Royal Marines, whether such enlistment took place before or after the passing of the Mutiny Act, 1860, shall reckon service towards the performance of his limited engagement from the date of his attestation: Provided also, that any such soldier shall not reckon service for pension until the day on which his engagement for the militia would have expired; but if any such soldier shall, subsequently to his enlistment, have rendered long, faithful, or gallant service, the Lords Commissioners of the Admiralty may, upon the special recommendation of the Deputy Adjutant General, Royal Marines, order that he may reckon service for pension from the date of his attestation.

Volunteer permanent staff officers enlisting into regular forces.

65. If any non-commissioned officer of the volunteer permanent staff shall enlist into the Royal Marines, he may be tried and punished as a deserter, but if he confesses his desertion the Secretary of State for War, instead of causing him to be tried and punished as a deserter, may cause him to be returned to his service on the volunteer permanent staff, to be there put under stoppages from his pay until he has repaid the amount of any bounty received by him, and the expenses attending his enlistment, and also the value of any arms, &c. issued to him while on the volunteer permanent staff, and not duly delivered up by him, or may cause him to be held to his service in the Royal Marines with a direction, if it seems fit, that his term of service therein shall not be

reckoned for pension until the time when his engagement on the volunteer permanent staff would have expired, and may further cause him to be put under stoppages of one penny a day of his pay until he has repaid the expense attending his engagement or attestation on the volunteer permanent staff, and also the value of any arms, clothing, or appointments issued to him while on the volunteer permanent staff, and not duly delivered up by him.

Penalty on persons offending as to enlistment.

66. Every person subject to this Act who shall wilfully act contrary to any of its provisions in any matter relating to the enlisting or attesting of recruits for Her Majesty's service shall be liable to be tried for such offence by a general court-martial, and to be sentenced to such punishment, other than death or penal servitude, as such court may award.

As to re-enlistment abroad.

67. It shall be lawful for any justice of the peace or person exercising the office of a magistrate within any of Her Majesty's dominions abroad, or for the officer commanding any ship or vessel of Her Majesty on the books of which any marine may be borne, or on board of which any such marine may be, or, notwithstanding anything in this Act contained, for the commanding officer of any battalion or detachment of Royal Marines, whether borne on the books of any one of Her Majesty's ships or otherwise, to re-engage or enlist and attest out of Great Britain or Ireland any marine desirous of re-enlisting or re-engaging into Her Majesty's Royal Marine forces, if such marine be considered by such commanding officer, justice, or magistrate a fit person to continue in Her Majesty's service; and every such commanding officer, justice, or magistrate shall have the same powers in that behalf as are by this or any other Act of Parliament given to justices of the peace in the United Kingdom for all such purposes of enlistment and attestation, and any marine so re-enlisted or re-engaged shall be deemed to be an attested marine.

Apprentices enlisting to be liable to serve after the expiration of their apprenticeship.

68. Any person duly bound as an apprentice who shall enlist into Her Majesty's Royal Marine forces, and shall falsely state to the magistrate before whom he shall be carried and attested that he is not an apprentice, shall be deemed guilty of obtaining money by false pretences, if in England or in Ireland, and of falsehood, fraud, and wilful imposition, if in Scotland, and shall after the expiration of his apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a marine according to the terms of the enlistment, and if on the expiration of his apprenticeship he shall not deliver himself up to some officer authorised to receive recruits, such person may be taken as a deserter from Her Majesty's Royal Marine forces.

Claims of masters to apprentices.

69. No master shall be entitled to claim an apprentice who shall enlist as a marine in Her Majesty's service unless such master shall, within one calendar month next after such apprentice shall have left his service, go before some justice, and take the oath mentioned in the schedule to this Act

annexed, and at the time of making his claim produce to the officer under whose command the recruit shall be the certificate of such justice of his having taken such oath, which certificate such justice is required to give in the form in the schedule to this Act annexed; nor unless such apprentice shall have been bound, if in England, for the full term of five years, (not having been above the age of fourteen years when so bound,) and, if in Ireland or in the British Isles, for the full term of five years at the least, (not having been above the age of sixteen when so bound,) and, if in Scotland, for the full term at least of four years, by a regular contract or indenture of apprenticeship, duly extended, signed, and tested, and binding on both parties by the law of Scotland prior to the period of enlistment, and unless such contract or indenture in Scotland shall, within three months after the commencement of the apprenticeship and before the period of enlistment, have been produced to a justice of the peace of the county in Scotland wherein the parties reside, and there shall have been endorsed thereon by such justice a certificate or declaration signed by him specifying the date when and the person by whom such contract or indenture shall have been so produced, which certificate or declaration such justice of the peace is hereby required to endorse and sign; nor unless any such apprentice shall, when claimed by such master, be under twenty-one years of age: Provided always, that any master of an apprentice indentured for the sea service shall be entitled to claim and recover him in the form and manner above directed, notwithstanding such apprentice may have been bound for a less term than five or four years as aforesaid: Provided also, that any such master who shall give up the indentures of apprenticeship within one month after the enlisting of such apprentice shall be entitled to receive, to his own use, so much of the bounty payable to such recruit as shall not have been paid to such recruit before notice given of his being an apprentice.

No apprentice claimed by the master shall be taken away without a warrant.

70. No apprentice claimed by his master shall be taken from any division, detachment, recruiting party, or ship of Her Majesty, except under a warrant of a justice residing near and within whose jurisdiction such apprentice shall then happen to be, and before whom he shall be carried; and such justice shall inquire into the matter upon oath (which oath he is hereby empowered to administer), and shall require the production and proof of the indenture, and that notice of the said warrant has been given to the commanding officer, and a copy thereof left with some officer or non-commissioned officer of the party, and that such person so enlisted declared that he was no apprentice; and such justice, if required by such officer or non-commissioned officer, shall commit the offender to the common gaol of the county, division, or place for which such justice is acting, and shall keep the indenture to be produced when required, and shall bind over such person as

Punishment of apprentices enlisting.

he may think proper to give evidence against the offender, who shall be tried at the next or at the sessions immediately succeeding the next general or quarter sessions of such county, division, or place, unless the court shall for just cause put off the trial; and the production of the indenture, with the certificate of the justice that the same was proved, shall be sufficient evidence of the said indenture; and every such offender in Scotland may be tried by the judge ordinary in the county or stewartry in such and the like manner as any person may be tried in Scotland for any offence not inferring a capital punishment: Provided always, that any justice not required as aforesaid to commit such apprentice may deliver him to his master.

Removal of doubts as to attestation of marines.

71. No person who shall for six months, and either before or after the passing of this Act, have received pay and be borne on the strength and pay list of any division of Her Majesty's Royal Marine forces, of which the last quarterly pay list (if produced) shall be evidence, or been borne as a marine on the books of any of Her Majesty's ships in commission, shall be entitled to claim his discharge on the ground of error or illegality in his enlistment or attestation or re-engagement, or on any other ground whatsoever, but, on the contrary, every such person shall be deemed to have been duly enlisted, attested, or re-engaged, as the case may be.

Power to Admiralty to order pay to be withheld.

72. It shall also be lawful for the Lord High Admiral, and also for the said Commissioners for executing the office of Lord High Admiral, to give orders for withholding the pay of any officer or marine for any period during which such officer or marine shall be absent without leave, or improperly absent from his duty, or in case of any doubt as to the proper issue of pay to withhold it from the parties aforesaid until the said Lord High Admiral or the said Commissioners shall come to a determination upon the case.

Billeting of marines.

73. And whereas there is and may be occasion for the marching and also for the quartering of the Royal Marine forces when on shore: Be it enacted, that during the continuance of this Act, upon the order or orders in writing in that behalf under the hand of the Lord High Admiral, or the hands of two or more of the Commissioners for executing the office of Lord High Admiral for the time being, or upon the order or orders in writing in that behalf under the hand of any colonel commandant or commanding officer of any division of Royal Marines, it shall be lawful for all constables and other persons specified in this Act in Great Britain and Ireland, and they are hereby required, to billet the officers and marines, whether marching or otherwise, and all staff and field officers horses, and all bât and baggage horses belonging to the Royal Marine forces, when on actual service, not exceeding for each officer the number for which forage is or shall be allowed by Her Majesty's regulations, in victualling houses and other houses specified in this Act, taking care in

Ireland not to billet less than two men in any one house; and they shall be received by the occupiers of the houses in which they are so billeted, and be furnished by such victualler with proper accommodation in such houses, and with a separate bed for each marine, or if any victualler shall not have sufficient accommodation in the house upon which a marine is billeted, then in some good and sufficient quarters to be provided by such victualler in the immediate neighbourhood, and in Great Britain with diet and small beer, and in Great Britain and Ireland with stables, oats, hay, and straw for such horses as aforesaid, paying and allowing for the same the several rates herein-after provided; and at no time when marines are on their march shall any of them be billeted above one mile from the place mentioned in the route, care being always taken that the billets be made out for the less distant houses in which suitable accommodation can be found before making out billets for the more distant; and in all places where marines shall be billeted in pursuance of this Act, the officers and their horses shall be billeted in one and the same house, except in case of necessity; and the constables are hereby required to billet all marines on their march in the manner required by this Act upon the occupiers of all houses within one mile of the place mentioned in the route, and whether they be in the same or a different county in like manner in every respect as if such houses were all locally situated within such place: Provided always, that nothing herein contained shall be construed to extend to authorise any constable to billet marines out of the county to which such constable belongs when the constable of the adjoining county shall be present and shall undertake to billet the due proportion of men in such adjoining county; and no more billets shall at any time be ordered than there are effective marines and horses present to be billeted; all which billets, when made out by such constables, shall be delivered into the hands of the commanding officer present, or to the non-commissioned officer on the spot; and if any person shall find himself aggrieved by having an undue proportion of marines billeted in his house, and shall prefer his complaint, if against a constable or other person not being a justice, to one or more justices, and if against a justice, then to two or more justices, within whose jurisdiction such marines are billeted, such justices respectively shall have power to order such of the marines to be removed and to be billeted upon other persons as they shall see cause; and when any horses belonging to the officers of Her Majesty's Royal Marine forces shall be billeted upon the occupiers of houses who shall have no stables, then, upon a written requisition of the officer commanding such marines, the constable is hereby required to billet the horses upon some other person or persons having stables, and who are by this Act liable to have officers and marines billeted upon them, and any two or more justices of

the peace may order a proper allowance to be paid by the persons relieved to the persons receiving such horses, or to be applied in the furnishing the requisite accommodation; and the commanding officer may exchange any man or horse billeted in any place with another man or horse billeted in the same place, for the convenience or benefit of the service, provided the number of men and horses do not exceed the number at that time billeted on such houses respectively, and the constables are hereby required to billet such men and horses so exchanged accordingly; and it shall be lawful for any justice, at the request of any officer or non-commissioned officer commanding any marines requiring billets, to extend any route, or to enlarge the district within which billets shall be required, in such manner as shall appear to be most convenient to Her Majesty's service: Provided also, that to prevent or punish all abuses in billeting marines, it shall be lawful for any justice, within his jurisdiction, by warrant or order under his hand, to require any constable to give him an account in writing of the number of officers and marines who shall be quartered by such constables, together with the names of the persons upon whom such officers and marines are billeted, stating the street or place where such persons dwell, and the signs, if any, belonging to the houses: Provided always, that no officer shall be compelled or compellable to pay anything for his lodging where he shall be duly billeted: Provided also, that no justice being an officer of Royal Marines shall directly or indirectly be concerned in billeting or appointing quarters under this Act.

Allowance to innkeepers.

74. The innholder or other person on whom any marine is billeted in Great Britain shall, if required by such marine, furnish him for every day on the march, and for a period not exceeding two days, when halted at any intermediate place upon the march, and for the day of the arrival at the place of final destination, with one hot meal in each day, the meal to consist of such quantities of diet and small beer as may be fixed by Her Majesty's regulations, not exceeding one pound and a quarter of meat previously to being dressed, one pound of bread, one pound of potatoes or other vegetables, and two pints of small beer, and vinegar, salt, and pepper, and for such meal the innholder or other person furnishing the same shall be paid the sum of tenpence, and twopence halfpenny for a bed; and all innholders and other persons on whom marines may be billeted in Great Britain or Ireland, except when on the march in Great Britain, and entitled to be furnished with the hot meal as aforesaid, shall furnish such marines with a bed and with candles, vinegar, and salt, and shall allow them the use of fire, and the necessary utensils for dressing and eating their meat, and shall be paid in consideration thereof the sum of fourpence per diem for each marine; and the sum to be paid to the innholder or other person on whom any of the horses belonging to Her Majesty's Royal Marine forces shall

be billeted, in Great Britain or Ireland, for ten pounds of oats, twelve pounds of hay, and eight pounds of straw, shall be one shilling and ninepence per diem for each horse; and every officer or non-commissioned officer commanding a division, detachment, or party shall every four days, or before they shall quit their quarters if they shall not remain so long as four days, settle and discharge the just demands of all victuallers or other persons upon whom such officers, marines, or horses are billeted, out of the pay and subsistence of such officers and marines, before any part of the said pay or subsistence be paid or distributed to them respectively; and if any such officer or non-commissioned officer shall not pay the same as aforesaid, then, upon complaint and oath made thereof by any two witnesses before two justices of the peace for the county, riding, division, liberty, city, borough, or place where such quarters were situate, sitting in quarter or petty sessions, the Secretary of the Admiralty is hereby required, upon certificate of the justices before whom such oath shall be made of the sum due to complainant, to order payment of the amount which shall be charged against such officer; and in case of any marines being suddenly ordered to march, and of the commanding officer or non-commissioned officer not being enabled to make payment of the sums due on account of billets, every such officer or non-commissioned officer shall before his departure make up the account with every person upon whom any such marines may have been billeted, and sign a certificate thereof; which account and certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid, and charged to the account of such officer or non-commissioned officer.

Supply of carriages.

75. For the regular provision of carriages for the Royal Marine forces and their baggage on their marches in Great Britain and Ireland, all justices of the peace within their several jurisdictions, being duly required thereunto by order of the said Lord High Admiral, or two or more of the Commissioners for executing the said office of Lord High Admiral for the time being, or any colonel commandant or commanding officer of a division of Royal Marines, shall, on the production of such order, or a copy thereof certified by the commanding officer, to them or any one or more of them, by the officer or non-commissioned officer of the party of marines so ordered to march, issue a warrant to any constable having authority to act in any place from, through, near, or to which such marines shall be ordered to march, (for each of which warrants a fee of one shilling only shall be paid,) requiring him to provide the carriages, horses, oxen, and drivers therein mentioned, (allowing sufficient time to do the same,) specifying the places from and to which the said carriages shall travel, and the distance between the places, for which distance only so specified payment shall be demanded, and which distance shall not, except in cases of pressing emergency, exceed the

day's march prescribed in the order of route, and shall in no case exceed twenty-five miles; and the constables receiving such warrant shall order such persons as they shall think proper, having carriages, to furnish the requisite supply, who are hereby required to furnish the same accordingly; and in case sufficient carriages cannot be procured within the proper jurisdiction, any justice of the next adjoining jurisdiction shall, by a like course of proceeding, supply the deficiency; and in order that the burden of providing carriages may fall equally, and to prevent inconvenience arising from there being no justice residing near the place where marines may be quartered on the march, the justice or justices residing nearest to such place shall cause a list to be made out, at least once in every year, of all persons liable to furnish such carriages, and of the number and description of their said carriages, which list shall at all seasonable hours be open to the inspection of the said persons, and shall by warrant under his hand authorise the constables within his jurisdiction to give orders to provide carriages without any special warrant from him for that purpose, which orders shall be valid in all respects; and all orders for such carriages shall be made from such lists in regular rotation, so far as the same can be done.

Rates for carriages.

76. In every case in which the whole distance for which any carriage shall be impressed shall be under one mile the rate of a full mile shall be paid; and the rates to be paid for carriages impressed shall be, in Great Britain, for every mile which a waggon with four or more horses, or a wain with six oxen or four oxen and two horses, shall travel, one shilling; and for every mile any waggon with narrow wheels, or any cart with four horses carrying not less than fifteen hundredweight, shall travel, ninepence; and for every mile every other cart or carriage with less than four horses, and not carrying fifteen hundredweight, shall travel, sixpence; and in Ireland for every hundredweight loaded on any wheel carriage one halfpenny per mile; and in Great Britain such further rates may be added, not exceeding a total additional sum per mile of fourpence, threepence, or twopence to the respective rates of one shilling, ninepence, and sixpence, as may seem reasonable to the justices assembled at general sessions for their respective districts, or to the recorder at the sessions of the peace of any municipal city, borough, or town; and the order of such justices or recorder shall specify the average price of hay and oats at the nearest market town at the time of fixing such additional rates, and the period for which the order shall be enforced, not exceeding ten days, beyond the next general sessions; and no such order shall be valid unless a copy thereof, signed by the presiding magistrate and one other justice, or by the recorder, shall be transmitted to the Secretary of the Admiralty within three days after the making thereof; and also in Great Britain when the day's march shall exceed fifteen miles, the justice granting his warrant may fix a further

reasonable compensation not exceeding the usual rate of hire fixed by this Act; and when additional rates or compensation shall be granted, the justice shall insert in his own hand in the warrant the amount thereof, and the date of the order of sessions if fixed by sessions, and the warrant shall be given to the officer commanding as his voucher; and the officer or non-commissioned officer demanding carriages by virtue of the warrant of a justice shall, in Great Britain, pay down the proper sums into the hands of the constable providing carriages, who shall give receipts for the same on unstamped paper; and, in Ireland, the officers or non-commissioned officers as aforesaid shall pay the proper sums to the owners or drivers of the carriages, and one third part of such payment shall be made before the carriage be loaded, and all the said payments in Ireland shall be made, if required, in presence of a justice or constable; and no carriage shall be liable to carry more than thirty hundredweight in Great Britain, and in Ireland no car shall be liable to carry more than six hundredweight, and no dray more than twelve hundredweight; but the owner of such carriages in Ireland consenting to carry a greater weight shall be paid at the same rate for every hundredweight of the said excess; and the owners of such carriages in Ireland shall not be compelled to proceed, though with any less weight, under the sum of threepence a mile for each car and sixpence a mile for each dray; and the loading of such carriages in Ireland shall be first weighed, if required, at the expense of the owner of the carriage, if the same can be done in a reasonable time without hindrance of Her Majesty's service: Provided also, that a cart with one or more horses, for which the furnisher shall receive ninepence a mile, shall be required to carry fifteen hundredweight at the least; and that no penalties or forfeitures in any Act relating to highways or turnpike roads in the United Kingdom shall apply to the number of horses or oxen or weight of loading of the aforesaid carriages, nor shall any such carriages on that account be stopped or detained; and whenever it shall be necessary to impress carriages for the march of marines from Dublin at least twenty-four hours notice of such march, and in case of emergency as long notice as the case will admit, shall be given to the Lord Mayor of Dublin, who shall summon a proportional number of cars and drays at his discretion out of the licensed cars and drays and other cars and drays within the county of the said city, and they shall by turns be employed on this duty at the prices and under the regulations herein-before mentioned; and no country cars, drays, or other carriages coming to markets in Ireland shall be detained or employed against the will of the owners in carrying the baggage of marines on any pretence whatever.

As to supply of carriages, &c. in cases of emergency.

77. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, or the Lord Lieutenant or Chief Governors of Ireland, by their or his orders distinctly stating that a case of emergency doth

exist, signified by the Secretary of the Admiralty, or, if in Ireland, by the chief secretary or under secretary, or the first clerk in the military department, to authorise any commanding officer of Her Majesty's Royal Marine forces in any district or place, or to the chief acting agents for the supply of stores and provisions, by writing under his hand, reciting such order of the Lord High Admiral, or the said Commissioners, or Lord Lieutenant or Chief Governors aforesaid, to require all justices within their several jurisdictions in Great Britain and Ireland to issue their warrants for the provision, not only of waggons, wains, carts, and cars kept by or belonging to any person and for any use whatsoever, but also of saddle horses, coaches, post-chaises, chaises, and other four-wheeled carriages kept for hire, and of all horses kept to draw carriages licensed to carry passengers, and also of boats, barges, and other vessels used for the transport of any commodities whatsoever upon any canal or navigable river as shall be mentioned in the said warrants, therein specifying the place and distance to which such carriages or vessels shall go; and on the production of such requisition, or a copy thereof certified by the commanding officer, to such justice, by any officer of the corps ordered to be conveyed, such justice shall take all the same proceedings in regard to such additional supply so required on such emergency as he is by this Act required to take for the ordinary provision of carriages; and all provisions whatsoever of this Act as regards the procuring of the ordinary supply of carriages, and the duties of officers and non-commissioned officers, justices, constables, and owners of carriages in that behalf, shall be to all intents and purposes applicable for the providing and payment according to the rates of posting or of hire usually paid for such other description of carriages or vessels so required on emergency, according to the length of the journey or voyage in each case, but making no allowance for post horse duty, or turnpike, canal, river, or lock tolls, which duty or tolls are hereby declared not to be demandable for such carriages and vessels while employed in such service or returning therefrom; and it shall be lawful to convey thereon not only the baggage, provisions, and military stores of such detachment, but also the officers, marines, servants, women, children, and other persons of and belonging to the same.

Justices of peace to direct payment of sums expended for carriages, &c.

78. It shall be lawful for the justices of the peace assembled at their quarter sessions to direct the treasurer to pay, without fee, out of the public stock of the county or riding, or if such public stock be insufficient then out of moneys which the said justices shall have power to raise for that purpose, in like manner as for county gaols and bridges, such reasonable sums as shall have been expended by the constables within their respective jurisdictions for carriages and vessels, over and above what was or ought to have been paid by the officer requiring the same, regard being had to the season of the year and the condition of the ways by which such carriages and vessels are

to pass; and in Scotland such justices shall direct such payments to be made out of the rogues money and assessments directed and authorised to be assessed and levied by an Act passed during the session holden during the twentieth and twenty-first years of the reign of Her present Majesty, chapter seventy-two.

Lord Lieutenant of Ireland may depute persons to sign routes.

79. It shall be lawful for the said Lord Lieutenant or other Chief Governor for the time being of Ireland to depute, by warrant under his hand and seal, some proper person to sign routes in cases of emergency for the marching of any of Her Majesty's Royal Marine forces in Ireland in the name of such Lord Lieutenant or Chief Governor.

Exemption from tolls.

80. *All* officers and marines on duty or on their march, being in proper uniform, dress or undress, and their horses and baggage, and all recruits marching by route, and all prisoners under military escort, and all carriages and horses belonging to Her Majesty or employed in her service under the provisions of this Act, or in any of Her Majesty's colonies, when employed in conveying any such persons as aforesaid or their baggage, or returning from conveying the same, shall be exempted from the payment of any duties and tolls on embarking or disembarking from or upon any pier, wharf, quay, or landing place, or in passing along or over any turnpike or other roads or bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any prescription, grant, or custom, or by virtue of any Act or ordinance, order or direction, of any colonial legislature or other authority in any of Her Majesty's colonies; and if any toll collector shall demand or receive toll from any marine officer or marine on duty or on their march who shall be in proper uniform, dress or undress, or for their horses, and who by this Act is exempted from payment thereof, or from any recruits marching by route, or from any prisoners under military escort, or for any carriages or horses belonging to Her Majesty or employed in her service under the provisions of this Act, when conveying persons or baggage, or returning therefrom, every such collector shall for every such offence be liable to a penalty not exceeding five pounds; provided that nothing herein contained shall exempt any boats, barges, or other vessels employed in conveying the said persons, horses, baggage, or stores along any canal from payment of tolls in like manner as other boats, barges, and vessels are liable thereto, except when employed in cases of emergency as herein mentioned; and that when any officers or marines on service shall have occasion in the march by route to pass regular ferries in Scotland, the officer commanding shall be at liberty to pass over with his marines as passengers, paying for himself and each marine one half only of the ordinary rate payable by passengers, or he shall be at liberty to hire the ferry boat for himself and his party, debarring all others for that time, and shall in such case pay only half the ordinary rate for such boat.

Marching money on discharge.

81. Every marine upon being discharged from the service shall be entitled to an allowance (not exceeding in any case the amount of twenty-one days marching money) to enable him to reach his home, or the place at which he shall at the time of his discharge decide to take up his residence, such place not being at a greater distance from the place of his discharge than the place of his original enlistment, which allowance shall be calculated according to the distance he has to travel: Provided always, that no person who shall purchase his own discharge, or be discharged on account of misbehaviour, or at his own desire, before the expiration of his period of service, shall be entitled to any such allowance.

Penalties upon civil subjects offending against the laws relating to billets and carriages.

82. If any constable or other person who by virtue of this Act shall be employed in billeting any officers or marines in any part of the United Kingdom shall presume to billet any such officer or marine in any house not within the meaning of this Act without the consent of the owner or occupier thereof; or shall neglect or refuse to billet any officer or marine on duty when thereunto required in such manner as is by this Act directed, provided sufficient notice be given before the arrival of such marines; or shall receive, demand, or agree for any money or reward whatsoever in order to excuse any person from receiving any such officer or marine; or shall quarter any of the wives, children, men or maid servants of any officer or marine in any such houses against the consent of the occupiers; or shall neglect or refuse to execute such warrants of the justices as shall be directed to him for providing carriages, horses, or vessels, or shall demand more than the legal rates for the same; or if any person ordered by any constable in manner herein-before directed to provide carriages, horses, or vessels shall refuse or neglect to provide the same according to the orders of such constable, or shall demand more than the legal rates for the same, or shall do any act or thing by which the execution of any warrants for providing carriages, horses, or vessels shall be hindered; or if any person liable by this Act to have any officer or marine quartered on him shall refuse to receive any such officer or marine, or to afford him proper accommodation or diet in the house of such person in which he is quartered, or to furnish the several things directed to be furnished to officers and marines, or shall neglect or refuse to furnish good and sufficient stables, together with good and sufficient oats, hay, and straw in Great Britain and Ireland, for each horse, in such quantities and at such rates as herein-before provided, or if any innkeeper or victualler not having good and sufficient stables shall refuse to pay over to the person or persons who may provide stabling such allowance by way of compensation as shall be directed by any justice of the peace, or shall pay any sum of money to any marine on the march in lieu of furnishing in kind the diet and small beer to which such marine is entitled; such constable, victualler, and other person respectively shall forfeit for every

offence, neglect, or refusal any sum not exceeding five pounds nor less than forty shillings; and if any person shall personate or represent himself to be a marine or marine recruit with the view of fraudulently obtaining a billet or money in lieu thereof, he shall for every such offence forfeit any sum not exceeding five pounds nor less than twenty shillings.

Penalty upon officers of marines so offending.

83. If any officer of Royal Marines shall take upon him to quarter men otherwise than is allowed by this Act, or shall use or offer any menace or compulsion to or upon any justice, constable, or other civil officer tending to deter and discourage any of them from performing any part of their duty under this Act, or to do anything contrary thereto, such officer shall for every such offence, being thereof convicted before any two or more justices of the county by the oath of two credible witnesses, be deemed and taken to be ipso facto cashiered, and shall be utterly disabled to hold any military employment in Her Majesty's service; provided a certificate of such conviction be forthwith transmitted by the said justices to the Secretary of the Admiralty, and that the conviction be affirmed at some quarter sessions of the peace for the said county to be held next after the expiration of three months after such certificate shall have been transmitted as aforesaid; and if any marine officer shall take or knowingly suffer to be taken from any person any money or reward for excusing the quartering of officers or marines, or shall billet any of the wives, children, men or maid servants of any officer or marine in any house against the consent of the occupier, he shall for any of the said offences, upon being convicted thereof before a general court-martial, be cashiered; and if any officer shall constrain any carriage to travel beyond the distance specified in the justice's warrant, or shall not discharge the same in due time for their return home on the same day if it be practicable, except in the case of emergency for which the justice shall have given licence, or shall compel the driver of any carriage to take up any marine or servant (except such as are sick) or any woman to ride therein, except in cases of emergency as aforesaid, or shall force any constable, by threatening words, to provide saddle horses for himself or servants, or shall force horses from their owners, or in Ireland shall force the owner to take any loading until the same shall be first duly weighed, if the same shall be required, and can be done within a reasonable time, or shall, contrary to the will of the owner or his servant, permit any person whatsoever to put any greater load upon any carriage than is directed by this Act, he shall forfeit for every offence any sum not exceeding five pounds nor less than forty shillings.

Penalty for forcible entry in pursuit of deserters without warrant.

84. Every marine officer or marine who shall, without warrant from one or more of Her Majesty's justices, forcibly enter into or break open the dwelling house or outhouse of any person whomsoever in pursuit of any deserters, shall, upon due proof thereof, forfeit the sum of twenty pounds.

Penalty for purchasing clothes, &c. from any marine.

85. Any person who shall knowingly detain, buy, or exchange, or otherwise receive from any marine or marine deserter, or any other person acting for or on his behalf, upon any account or pretence whatsoever, or who shall solicit or entice any marine or marine deserter, or shall be employed by any marine or marine deserter, knowing him to be such, to sell any arms, ammunition, medals for good conduct, or distinguishment, or other service, marine clothes, or military furniture, or any other articles which, according to the custom of the marine corps, are generally deemed regimental or divisional necessaries, or any provisions, sheets, or other articles used in barracks or provided under barrack regulations, whether on shore or afloat, and whether the marine or marine deserter or other person be or be not borne on the books of any one of Her Majesty's ships, or be or be not embarked, or who shall have in his or her possession or keeping any arms, ammunition, medals, marine clothes, or military furniture, or any other articles which, according to the custom of the marine corps, are generally deemed regimental or divisional necessaries, or any provisions, spirits, sheets, or other articles used in barracks or provided under barrack regulations, and shall not give a satisfactory account how he or she came by the same, or shall change or cause the colour or mark of any such clothes, appointments, necessaries, sheets, or other articles to be changed or defaced, or who shall pawn, sell, or deposit in any place or with any person such articles of regimental necessaries, with or without the consent of such marine, shall forfeit for every such offence any sum not exceeding twenty pounds, together with treble the value of all or any of the several articles; and if any person having been at any time previously convicted of either of the above offences under this or any previous Act for the regulation of Her Majesty's Royal Marine forces while on shore shall afterwards be guilty of any such offence, he or she shall for every such offence forfeit any sum not exceeding twenty pounds but not less than five pounds, and the treble value of all or any of the several articles, and shall, in addition to such forfeiture, be committed to the common gaol or house of correction, there to be imprisoned only, or to be imprisoned with or without hard labour, for such term not exceeding six calendar months as the convicting justice or justices shall think fit; and upon any information against any person for a second or any subsequent offence, a copy of the former conviction, certified by the proper officer having the care or custody of such conviction, or any copy of the same proved to be a true copy, shall be sufficient evidence to prove such former conviction; and if any credible person shall prove, on oath before a justice of the peace or person exercising like authority according to the laws of that part of Her Majesty's dominions in which the offence shall be committed, a reasonable cause to suspect that any person has in his or her possession or on his or her premises any property of the description herein-before

described, on or with respect to which any such offence shall have been committed, such justice may and he is hereby required to grant a warrant to search for such property as in the case of stolen goods; and if upon such search any such property shall be found, the same shall and may be seized by the officer charged with the execution of such warrant, who shall bring the offender in whose possession the same shall be found before the same or any other justice of the peace, to be dealt with according to law.

Penalty on unlawful recruiting.

86. Every person (except such recruiting parties as may be stationed under military command) who shall cause to be advertised, posted, or dispersed bills for the purpose of procuring recruits or substitutes for the Royal Marines, or shall open or keep any house or place of rendezvous or office, or receive any person therein under such bill or advertisement as connected with the marine recruiting service, or shall directly or indirectly interfere therewith, without permission in writing from the Lord High Admiral or the said Commissioners for executing the office of Lord High Admiral, shall forfeit for every such offence a sum not exceeding twenty pounds.

Penalty on killing game without leave.

87. For the better preservation of the game and fish in or near places where any officer shall at any time be quartered, every officer who shall, without leave in writing from the person or persons entitled to grant such leave, take, kill, or destroy any game or fish within the United Kingdom, shall for every such offence forfeit the sum of five pounds.

Limitations of actions.

88. If any action shall be brought against any member or members of a court-martial to be assembled under the authority of this Act, or of any Act heretofore passed for the regulation of Her Majesty's Royal Marine forces while on shore, in respect of the proceedings or the sentence thereof, or against any other person, for anything done in pursuance or under the authority of this Act, or of any Act heretofore passed for the regulation of Her Majesty's Royal Marine forces while on shore, the same shall be brought in some one of the Courts of Record at Westminster or Dublin, or in the Court of Session in Scotland, and shall be commenced within six months next after the cause of action shall arise, and it shall be lawful for the defendant or defendants therein, or in any such action now pending, to plead thereto the general issue, and to give all special matter in evidence on the trial; and if the verdict shall be for the defendant in any such action, or if the plaintiff shall become nonsuit or suffer any discontinuance thereof, or if, in Scotland, the court shall see fit to assoilzie the defendant or dismiss the complaint, the court in which the matter shall be tried shall allow the defendant treble costs, for the recovery of which he shall have the like remedy as in other cases where costs by the laws of this realm are given to defendants.

Recovery of penalties.

89. All offences for which any pecuniary penalty or forfeiture not exceeding twenty pounds, over and above any

forfeiture of value or treble value, is by this Act imposed, shall and may be heard and determined by any justice of the peace in or near to the place where the offence shall be committed, or where the offender may at any time happen to be; and all such penalties and forfeitures, and forfeiture of value and treble value, and also the reasonable costs attending the prosecution, to be duly ascertained and awarded by such justice, shall and may be enforced and recovered in the same manner as any pecuniary penalties may be recovered under the provisions of an Act passed in the twelfth year of the reign of Her Majesty, intituled "An Act to facilitate the performance of the duties of justices of the peace out of sessions within England and Wales with respect to summary convictions and orders:" Provided always, that in all cases in which there shall not be sufficient goods whereon any penalty or forfeiture or treble value can be levied, the offender may be committed and imprisoned, with or without hard labour, for any time not exceeding six calendar months; which said recited Act shall be used and applied in Scotland and in Ireland for the recovery of all such penalties and forfeitures or treble value as fully to all intents as if the said recited Act had extended to Scotland and Ireland, anything in the said recited Act, or in an Act passed in the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to consolidate and amend the Acts regulating the proceedings at petty sessions, and the duties of justices of the peace out of quarter sessions in Ireland," to the contrary notwithstanding; and all such offences committed in the British Isles, or in any of Her Majesty's dominions other than the United Kingdom, may be determined, and the penalties and forfeitures of value or treble value recovered, before any justices of the peace or persons exercising like authority, according to the laws of Her Majesty's dominions in which the offence shall be committed or the offender may at any time happen to be, and for default of payment the offender shall be punished as if the offence had been committed in the United Kingdom; and all penalties and forfeitures by this Act imposed exceeding twenty pounds shall be recovered by action in some of the Courts of Record at Westminster or in Dublin, or in the Court of Session in Scotland, and in no other court in the United Kingdom, and may be recovered in the British Isles or in any other part of Her Majesty's dominions, in any of the royal or superior courts of such isles or other parts of Her Majesty's dominions.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

Appropriation of penalties.

90. One moiety of every such penalty or forfeiture, not including any treble value of any articles, shall go to the person who shall inform or sue for the same, and the other moiety, together with the treble value of such articles, or, where the offence shall be proved by the person who shall inform, then the whole of the penalty and such treble value, shall be paid over and applied in such manner as the Lord

High Admiral or the Commissioners for executing the office of Lord High Admiral shall direct, anything in an Act passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled "An Act to provide for the regulation of "municipal corporations in England and Wales," or in any other Act or Acts of Parliament, to the contrary notwithstanding; and every justice who shall adjudge any penalty under this Act shall within four days thereafter at the furthest report the same, and his adjudication thereof, to the Secretary of the Admiralty. 5 & 6 W. 4. c. 76.

Licences of canteens.

91. It shall be lawful for any two justices of the peace, within their respective jurisdictions, to grant or transfer any licence for selling by retail any spirit, beer, wine, cider, or perry to any person or persons applying for the same who shall hold any canteen under any lease thereof, or by agreement with any department or other authority under the said Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral for the time being, without regard to the time of year, or any notices or certificates required by any Act in respect of such licences; and the commissioners of excise or their proper officers within their respective districts shall also grant or transfer any such licence as aforesaid; and such persons holding such canteens, and having such licences as aforesaid, may sell therein victuals, and all such exciseable liquors as they shall be licensed and empowered to sell, without being subject for so doing to any penalty or forfeiture whatever.

Mode of recording a marine's settlement.

92. Any justice in the United Kingdom, within whose jurisdiction any marine shall be quartered on shore, may summon such marine before him, which summons such marine is hereby required to obey, and take his examination in writing upon oath touching the place of his last legal settlement; and such justice shall give an attested copy of such examination to the person so examined, to be by him delivered to his commanding officer to be produced when required; which said examination and such attested copy thereof shall be at any time admitted as good and legal evidence as to such legal settlement before any justice or at any general or quarter sessions of the peace, although such marine be dead or absent from the kingdom: Provided always, that in case any marine shall be again summoned to make oath as aforesaid, then, on such examination or such attested copy being produced, such marine shall not be obliged to make any other or further oath with regard to his legal settlement, but shall leave with such justice a copy of such examination or a copy of such attested copy of examination, if required: Provided also, that when no such examination shall have been required, the statement made on oath by the recruit on his attestation of his place of birth shall be taken to be his last place of settlement until legally disproved.

Administration of oaths.

Perjury.

93. All oaths and declarations which are authorised or required by this Act may be administered (unless where otherwise provided) by any justice of the peace or other person having authority to administer oaths and declarations; and any person giving false evidence, or taking a false oath or declaration where an oath or declaration is authorised or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt perjury, and shall be liable to such pains and penalties as persons convicted of wilful and corrupt perjury are or may be subject and liable to; and every commissioned officer convicted before a general court-martial of perjury shall be cashiered, and every marine or other person amenable to the provisions of this Act found guilty thereof by a general or other court-martial shall be punished at the discretion of such court.

Definition of terms.

94. All clauses and provisions in this Act contained relating to England shall be construed to extend to Wales and to the town of Berwick-upon-Tweed; and the provisions of this Act shall apply to all persons who are or shall be commissioned or in pay as an officer of Royal Marines, or who are or shall be listed or in pay as a non-commissioned officer or marine; and all clauses and provisions relating to marines shall be construed to include non-commissioned officers and drummers, unless when otherwise provided; and all clauses and provisions relating to justices shall be construed to extend to all magistrates authorised to act as such in their respective jurisdictions; and all the powers given to and regulations made for the conduct of constables, and all penalties and forfeitures for any neglect thereof, shall extend to all tithingmen, headboroughs, and such like officers, and to all inspectors or other officers of police, and to high constables and other chief officers and magistrates of cities, towns, villages, and places in England and Ireland, and to all justices of the peace, magistrates of burghs, commissioners of police, and other chief officers and magistrates of cities, towns, villages, parishes, and places in Scotland, who shall act in the execution of this Act; and all powers and provisions for billeting marines in victualling houses shall extend and apply to all inns, hotels, livery stables, alehouses, and to the houses of sellers of wine by retail, whether British or foreign, to be drunk in their own houses or places thereunto belonging, to all houses of persons licensed to sell beer, ale, porter, cider, or perry by retail, to be consumed or drunk in their dwelling houses or premises, and to all houses of persons selling brandy, spirits, strong waters, cider, or metheglin by retail in Great Britain and Ireland; and in Ireland, when there shall not be found sufficient room in such houses, then marines may be billeted in such manner as has been heretofore customary: Provided always, that no officer or marine shall be billeted in Great Britain in any private houses, or in any canteen held or occupied under the authority of the

Marines not to be billeted in private houses, &c.

Admiralty, War, or Marine Department, or upon persons who keep taverns only, being vintners of the city of London admitted to their freedom of that company in right of patrimony or apprenticeship, notwithstanding such persons who keep such taverns only have taken out victualling licences; nor in the house of any distiller kept for distilling brandy and strong waters; nor in the house of any shopkeeper whose principal dealings shall be more in other goods and merchandise than in brandy and strong waters, so as such distillers and shopkeepers do not permit tippling in such houses; nor in the house or residence in any part of the United Kingdom of any foreign consul duly accredited as such.

Duration of Act.

95. This Act shall be in force within Great Britain from the twenty-fifth day of April one thousand eight hundred and seventy until the twenty-fifth day of April one thousand eight hundred and seventy-one inclusive; and within Ireland, and in Jersey, Guernsey, Alderney, Sark, and the Isle of Man, and the islands thereto belonging, from the first day of May one thousand eight hundred and seventy until the first day of May one thousand eight hundred and seventy-one inclusive; and within the garrison of Gibraltar, and within the Mediterranean, and in Spain and Portugal, from the first day of August one thousand eight hundred and seventy until the first day of August one thousand eight hundred and seventy-one inclusive; and in all other parts of Europe where Royal Marine forces may be serving, and the West Indies and North America, and Cape of Good Hope, from the first day of September one thousnad eight hundred and seventy until the first day of September one thousand eight hundred and seventy-one inclusive; and in all other places from the first day of February one thousand eight hundred and seventy-one until the first day of February one thousand eight hundred and seventy-two inclusive: Provided always, that this Act shall, from and after the receipt and promulgation thereof in general orders in any part of Her Majesty's dominions or elsewhere beyond the seas, become and be in full force, anything herein contained to the contrary notwithstanding.

SCHEDULE referred to by this Act.

FORM of OATHS to be taken by MEMBERS of COURTS-MARTIAL.

YOU shall well and truly try and determine according to the evidence in the matter now before you.

So help you GOD.

YOU shall duly administer justice, according to the rules and articles for the better government of Her Majesty's Royal Marine forces, and according to an Act now in force for the regulation of the said forces while on shore, without partiality, favour, or affection, and if any doubt shall arise which is not explained by the said articles or Act, according to your conscience, the best of your understanding, and the

custom of war in the like cases: And you shall not divulge the sentence of the court until it shall be duly approved; neither shall you, upon any account, at any time whatsoever, disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness by a court of justice or a court-martial in a due course of law. So help you GOD.

FORM of OATH of JUDGE ADVOCATE.

I do swear, That I will not, upon any account whatsoever, disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness by a court of justice or a court-martial in a due course of law; and that I will not, unless it be necessary for the due discharge of my official duties, disclose the sentence of the court until it shall be duly approved.

So help me GOD.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 18 .

A.B.

TAKE notice, that you enlisted with at o'clock* on the day of for the Royal Marines, and if you do not come forward to [*here name some place*] on or before o'clock* on the day of for the purpose of being taken before a justice, either to be attested or to release yourself from your engagement by repaying the enlisting shilling and any pay you may have received as a recruit, and by paying twenty shillings as smart money, you will be liable to be punished as a rogue and vagabond.

You are hereby also warned that you will be liable to the same punishment if you make any wilfully false representations at the time of attestation.

Signature of the non-commissioned officer serving the notice. }_____

* At A.M. or P.M., as the case may be.

DECLARATION to be made by RECRUIT on ATTESTATION.

I now residing in the parish of in the county of , do solemnly and sincerely declare, that to the best of my knowledge and belief I was born in the parish of (*a*) in or near the town of (*b*) in the county of (*c*) , and

Note (*a*), (*b*), (*c*).—These blanks need not be filled up if the recruit is unable to give the requisite information.

am years of age; that I am of the trade or calling of [*or* of no trade or calling, *as the case may be*]; that I am not an apprentice; that I am married (that I am not a widower; that I am a widower, and that I have (*or* have not) children) [*or* not married *as the case may be*]; that I do not belong to the militia, or to the naval coast volunteers, or royal naval volunteers, or to any portion of Her Majesty's land or sea forces; that I have never served Her Majesty by land or sea in any military, marine, or naval employment whatsoever, except ; that I have never been marked with the letter D; that I have never been rejected as unfit for Her Majesty's service on any previous enlistment; that I was enlisted at on the day of 18 , at o'clock m. by of , and that I have read [*or* had read to me] the notice then given to me and understood its meaning; that I enlisted for a bounty of and a free kit [*as the case may be*], and have no objection to make to the manner of my enlistment; that I am willing to be attested to serve in the Royal Marines for the term of [*the blank after the words* "term of" *to be filled up with twelve years, if the person enlisted is of the age of eighteen years or upwards; but if under that age, then the difference between his age and eighteen is to be added to such twelve years*] provided Her Majesty should so long require my services, and also for such further term, not exceeding two years, as shall be directed by the commanding officer on any foreign station.

_____ *Signature of recruit.*

_____ *Signature of witness.*

OATH to be taken by a RECRUIT on ATTESTATION.

I DO make oath, That I will be faithful and bear true allegiance to Her Majesty, her heirs and successors; and that I will, as in duty bound, honestly and faithfully defend Her Majesty, her heirs and successors, in person, crown, and dignity, against all enemies, and will observe and obey all orders of Her Majesty, her heirs and successors, and of the generals and officers set over me. So help me GOD.

Witness my hand,

_____ *Signature of the recruit.*

_____ *Witness present.*

Declared and sworn before me at this day of one thousand eight hundred and at o'clock.

_____ *Signature of the justice.*

DECLARATION to be made by a MARINE renewing his Service.

I do declare, That I am at present [*or* was, *as the case may be,*] in the division of the Royal Marine forces; that I enlisted on the day of for a term of years; that I am of the age of years; and that I will serve Her Majesty, her heirs and successors, as a marine, for a further term of years [*to be filled up with such number of years as shall be required to complete a total service of twenty-one years,*] provided my services should so long be required, and also for such further term, not exceeding two years, as shall be directed by the commanding officer on any foreign station.

_____ *Signature of marine.*

_____ *Signature of witness.*

Declared before me this day of 18 .

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make oath, that I am by trade a , and that was bound to serve as an apprentice to me in the said trade, by indenture dated the day of for the term of years; and that the said did on or about the day of last abscond and quit my service without my consent, and that to the best of my knowledge and belief the said is aged about years. Witness my hand at the day of one thousand eight hundred and .

Sworn before me at this day of one thousand eight hundred and .

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. I one of Her Majesty's justices of the peace of certify, that of came before me at the day of one thousand eight hundred and , and made oath that he was by trade a , and that was bound to serve as an apprentice to him in the said trade, by indenture dated the day of , for the term of years; and that the said apprentice did on or about the day of abscond and quit the service of the said without his consent, and that to the best of his knowledge and belief the said apprentice is aged about years.

DESCRIPTION RETURN of who was apprehended [*or* surrendered himself, *as the case may be*] on the day of and was committed to confinement at on the day of as deserter from the Royal Marines.

Age	
Height	Feet. Inches.
Complexion	
Hair	
Eyes	
Marks	
Probable date of enlistment, and where	
Probable date of desertion, and from what place	
Name and occupation and address of the person by whom or through whose means the deserter was apprehended and secured	
* Particulars of the evidence on which the prisoner is committed, and showing whether he surrendered or was apprehended, and in what manner, and upon what grounds	

* It is important for the public service, and for the interest of the deserter, that this part of the return should be accurately filled up, and the details should be inserted by the magistrate in his own handwriting, or, under his direction, by his clerk.

I do hereby certify, that the prisoner has been duly examined before me as to the circumstance herein stated, and has declared in my presence that he † a deserter from the above-mentioned corps.

——— *Signature and address of magistrate.*

——— *Signature of prisoner.*

——— *Signature of informant.*

† Insert "is" or "is not," as the case may be.

I certify, that I have inspected the prisoner, and consider him ‡ for military service.

——— *Signature of military medical officer, or of private medical practitioner.*

‡ Insert "fit" or "unfit," as the case may be; and, if unfit, state the cause of unfitness.

CHAP. 9.

An Act to amend "The Peace Preservation (Ireland) Act, 1856," and for other purposes relating to the Preservation of Peace in Ireland. [4th April 1870.]

WHEREAS it is expedient to amend the "Peace Preservation (Ireland) Act, 1856," and to make further and better provisions for the protection of life and property in Ireland:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Peace Preservation (Ireland) Act, 1870."

Limitation of Act.

2. This Act shall apply to Ireland only, and shall continue in operation until the first day of August one thousand eight hundred and seventy-one.

General definitions of terms.

3. In this Act—

The term "Lord Lieutenant" shall mean the Lord Lieutenant and the Lords Justices or other chief governors or governor of Ireland for the time being:

The terms "Chief Secretary" and "Under Secretary" shall mean respectively the Chief Secretary and Under Secretary of the Lord Lieutenant of Ireland:

The term "chief officer of police" shall mean within the police district of Dublin metropolis any one of the commissioners of police for the said district, and elsewhere any inspector, sub-inspector, head or other constable of the Royal Irish Constabulary acting as chief officer of constabulary within any district or town:

The term "county" shall extend to and include county of a city and county of a town, and a riding of a county, and a borough:

The term "grand jury" shall include every corporation, committee, council, and body authorised to make presentments:

The term "secretary to the grand jury" shall include town clerk:

The term "assizes" shall include presenting term:

The term "judge of assize," in the application of this Act to the county or county of the city of Dublin, shall include the Court of Queen's Bench at Dublin or any Judge of the said Court:

The term "petty sessions" shall include a divisional police office of Dublin metropolis:

The term "principal Act" shall mean the parts of the Act passed in the session of Parliament held in the eleventh and twelfth years of the reign of Her present Majesty, intituled "An Act for the better prevention of crime and "outrage in certain portions of Ireland until the first day "of December one thousand eight hundred and forty-

"nine, and to the end of the then next session of Parliament," which are continued by and are in force and operation under the Peace Preservation Act:

The term "Peace Preservation Act" shall mean "The Peace Preservation (Ireland) Act, 1856," and the Acts amending and continuing the same now in force:

The term "gunpowder" shall include gun-cotton and any other explosive matter used for the discharge of fire-arms:

The terms "constabulary" and "Royal Irish Constabulary" in the Peace Preservation Act, and in this Act, shall respectively include "Dublin Metropolitan Police:"

The terms "threatening letter" and "threatening notice" shall respectively mean and include any letter or notice written, posted, published, circulated, sent, delivered, or uttered contrary to the provisions of any of the enactments following; that is to say,

1 & 2 Will. 4. c. 44. s. 3.
24 & 25 Vict. c. 97. s. 50.
24 & 25 Vict. c. 100. s. 16.

PART I.

AMENDMENT OF PEACE PRESERVATION ACT.

Special definitions of terms.

4. In Part I. and Part II. of this Act the terms following shall have the meanings herein-after assigned to them respectively:

The term "proclaimed district" shall mean any county, county of a city, county of a town, or any barony or baronies, half barony or half baronies, in any county at large, or any district of less extent, to which the provisions of the Peace Preservation Act are declared to apply by proclamation under the said Act, so long as such proclamation shall be in force:

The term "notice" shall mean any notice published under the provisions of section eleven of the principal Act, requiring persons in a proclaimed district to deposit arms at a place therein named:

The term "arms" shall include any cannon, gun, revolver, pistol, or other fire-arm, or any part or parts of any cannon, gun, revolver, pistol, or other fire-arm, or any sword, cutlass, pike or bayonet, or any bullets, gunpowder, or ammunition.

Construction of Act.

5. Part I. of this Act, so far as is consistent with the tenor thereof, shall be construed as one with the Peace Preservation Act.

Persons having game licences also to have licences to have and carry arms.

6. Notwithstanding anything in the principal Act it shall not be lawful for—

Any person, although duly licensed to kill game, to carry arms, or, after notice, to have arms, in any proclaimed district, unless such person shall also have a licence granted to him

under the Peace Preservation Act to carry and have arms in such district, or in some other proclaimed district; or for—

Special licence to carry revolvers.

Any person (except justices of the peace, persons in Her Majesty's naval or military service, or in the coast guard service, or in the service of the revenue, or in the police or Royal Irish Constabulary, or special constables) to carry, or, after notice, to have any fire-arm of the description known as a revolver in any proclaimed district, although he shall have a licence granted to him under the Peace Preservation Act to carry and have arms within such district, unless such licence shall describe such fire-arm as a revolver and specially permit the carrying or having the same.

Punishment for carrying or having arms in proclaimed district.

7. So much of section two of the Peace Preservation Act as enacts that the punishment to which parties are liable, on conviction, under the ninth and twelfth sections of the principal Act shall thenceforth be reduced from imprisonment for any period not exceeding two years, with or without hard labour, to imprisonment for any period not exceeding one year, shall be and the same is hereby repealed.

Any person guilty of carrying or having arms contrary to the provisions of the said ninth and twelfth sections of the principal Act, or contrary to the provisions of the sixth section of this Act, or any of them, shall be liable on conviction thereof to be imprisoned, with or without hard labour, for any term not exceeding two years.

15 & 16 G. 3. c. 21. and 1 & 2 W. 4. c. 44. to apply to proclaimed districts.

8. All the powers and provisions now in force of an Act passed in the Parliament of Ireland in the Session of Parliament held in the fifteenth and sixteenth years of the reign of His late Majesty King George the Third, intituled "An Act "to prevent and punish tumultuous risings of persons within "this kingdom, and for other purposes therein mentioned," and also of another Act amending the same, passed in the Parliament of the United Kingdom in the second year of the reign of His late Majesty King William the Fourth, intituled "An Act to amend an Act passed in the Parliament of Ireland "in the fifteenth and sixteenth years of the reign of His "Majesty King George the Third, intituled 'An Act to prevent "'and punish tumultuous risings of persons within this king-"'dom, and for other purposes therein mentioned,'" shall extend and apply to every proclaimed district, and upon any trial or proceeding under the said last recited Acts, or either of them, it shall not be necessary to prove that any such district was at the time of the commission of any offence or offences against the said last recited Acts, or either of them, in a state of public or general disturbance, or insurrectionary movement, or that any such offence or offences, or the circumstances attending the same, was or were of an insurrectionary nature or character: Provided always, that the court or judge before which or whom any person or persons shall be tried for any offence against the provisions of section two of the said Act of the fifteenth and sixteenth years of the reign of His

late Majesty King George the Third, shall, where such offence has been committed at any time after sunset and before sunrise, or before the hour of six in the forenoon though the sun should be arisen, have power and authority to sentence such prisoner to penal servitude for any term not exceeding seven years.

Sect. 14 of 11 & 12 Vict. c. 2. repealed.

9. From and after the passing of this Act section fourteen of the principal Act shall be and the same is hereby repealed.

Powers of persons acting under search warrants.

10. It shall be lawful for any person to whom any warrant to search for and seize arms in any proclaimed district is directed, under the provisions of section thirteen of the principal Act, and for constables and other persons acting in their aid or assistance, within the space of three months next after the date of any such warrant, at such time and times and as often as they think fit, to enter into any house or place in order to execute such warrant, and in case admittance shall be refused to any such constables or persons as aforesaid, or shall not be obtained by them within a reasonable time after it has been first demanded, then to enter by force into such house or place in order to execute such warrant.

In proclaimed districts no dealer shall sell gunpowder but to a licensed dealer or to a person licensed to keep arms.

11. Every maker of or dealer in gunpowder, his agent or servant, shall, before selling or delivering any gunpowder to any person (except justices of the peace, persons in Her Majesty's naval or military service, or in the coast guard service, or in the service of the revenue, or in the police or Royal Irish Constabulary, or special constables) in any proclaimed district, require such person to produce a licence authorising him to make, deal in, or sell gunpowder, or to have or carry arms, or in case such gunpowder shall be wanted for the purpose of mining or blasting, a certificate, under the hands of one or more justices of the peace, that such gunpowder is to be applied to such purpose, and in the case of gunpowder required for mining or blasting there shall be endorsed on such certificate by the person selling or delivering the same the quantity so sold or delivered, and the time of sale, and such person shall sign his name thereto; and if any maker of or dealer in gunpowder, his agent or servant, shall sell or deliver any gunpowder to any person without the production of such a licence or certificate, or shall neglect to endorse on such certificate the quantity so sold or delivered and the time when, and to sign his name thereto, he shall for the first such offence be liable to a penalty not exceeding five pounds, and for any second offence he shall be liable to a further penalty not exceeding ten pounds.

In proclaimed districts arms to be sold, &c. only to persons licensed to have arms.

12. It shall not be lawful for any person in a proclaimed district to sell to, or to make, mend, repair, or keep for any person (except justices of the peace, persons in Her Majesty's naval or military service, or in the coast guard service, or in the service of the revenue, or in the police or Royal Irish Constabulary, or special constables) not duly licensed to have arms any gun, revolver, pistol, or other fire-arm, or any part

thereof; and if any person shall sell, make, mend, repair, or keep any gun, revolver, pistol, or other fire-arm, or part thereof, contrary to the provisions of this Act, every such offender shall be liable to a penalty not exceeding fifty pounds.

In proclaimed districts where felony committed justices may summon persons suspected of being capable of giving evidence in relation to such offence, and punish persons refusing to give evidence.

13. Where in any proclaimed district it shall appear that any felony or misdemeanor was committed, any justice of the peace in such district, although no person may be charged before him with the commission of such offence, shall have full power and authority to summon to the police office, or to the place where the petty sessions for the district in which said felony or misdemeanor has been committed are usually held, any person within his jurisdiction who, he shall have reason to believe, is capable of giving material evidence concerning any such felony or misdemeanor, and to examine such person on oath concerning any such felony or misdemeanor, and, if he shall see cause, to bind such person by recognizance to appear and give evidence at the next petty sessions, quarter sessions, or assizes. And in case any person who shall be summoned for that purpose shall neglect or refuse to appear or shall refuse to take such oath, or having taken such oath shall refuse to answer such questions concerning the said felony or misdemeanor as shall then be put to him, or shall refuse to enter into such recognizance, such person may be dealt with in the manner provided by section thirteen of The Petty Sessions (Ireland) Act, 1851, in the case of a witness to whom a summons was issued and who neglects or refuses to attend or who refuses to give evidence or be bound by recognizance so to do.

Every summons under this section may be in the Form (I.) in the Schedule (A.) to this Act annexed, or to the like effect.

Persons charged with carrying or having arms may in certain cases be admitted to bail.

14. Where any person in a proclaimed district shall be charged with any offence contrary to the provisions of sections nine and twelve of the principal Act, or of section six of this Act, or of any of them, the admission to bail of such person shall be subject to the like conditions as the admission to bail under section sixteen of The Petty Sessions (Ireland) Act, 1851, of persons charged with any of the offences specified in sub-section one of the said section.

Power to issue warrant to search in proclaimed districts for documents in handwriting of persons suspected of writing threatening letters.

15. Whenever any information in writing and on oath is made before a justice that there is reasonable cause to suspect that any threatening letter or threatening notice was written by any person, and that there is or are to be found in any house or other place belonging to or under the control of such person in a proclaimed district any document or documents in his handwriting, it shall be lawful for such justice to issue a warrant to search such house or place for such document or documents; and every such warrant shall be in the Form (II.) in the Schedule (A.) to this Act annexed, or to the like effect, and shall be directed to and executed by the like parties, and in like manner, and subject to the like conditions in every respect, so far as the same are applicable, as if the same were

a warrant to search issued under "The Summary Jurisdiction (Ireland) Act, 1851."

Provisions of Peace Preservation Act as to posting proclamations, &c. repealed.

16. From and after the passing of this Act, so much of the Peace Preservation Act as relates to the posting of proclamations, abstracts, and notices shall be and the same is hereby repealed.

Printed copies of every proclamation, &c. issued under Peace Preservation Act to be posted on or near the door of one place of public worship in every parish, &c. in district.

17. Printed copies of every proclamation, abstract, and notice under the provisions of the Peace Preservation Act shall be posted on, or near to, the door of one place of public worship, if there be such, in every parish, and of every police station and barrack within the district named in such proclamation, by some one or more of the constables or sub-constables of the Royal Irish Constabulary; and after any constable or sub-constable has posted any such printed copies within such district, or any part thereof, he shall verify such posting by a solemn declaration annexed to a printed copy of such proclamation and abstract or notice, to be made before a justice of the peace in the Form (VII.) specified in the Schedule (A.) to this Act annexed, or to the like effect; and such constable or sub-constable shall deposit such printed copy and declaration annexed thereto with the clerk of the peace for the county within which such district or any part thereof is situate or his deputy; and the said clerk of the peace or deputy shall sign and date the same, and shall preserve the same amongst the records of the said county; and the production from the custody of such clerk of the peace or deputy of the said printed copy of such proclamation and abstract or notice, and declaration annexed thereto, or of a copy of the same respectively, signed and certified as a true copy by such clerk of the peace or deputy, shall in all proceedings, and for all purposes whatsoever, be conclusive evidence that the said proclamation and abstract or notice were or was duly posted within the district or part of the district in said declaration mentioned.

PART II.

Special Proclamations.

Provisions of this part of this Act to apply to proclaimed districts when special proclamation issued by Lord Lieutenant.

18. Whenever in the judgment of the Lord Lieutenant, by and with the advice of the Privy Council of Ireland, it is necessary for the better prevention of crime and outrage that the provisions of this part of this Act shall apply to any proclaimed district, it shall be lawful for the Lord Lieutenant, by and with the advice of the said Privy Council, to declare by proclamation, in this part of this Act called a special proclamation, to be published in the Dublin Gazette, that from and after a day to be named therein the provisions of this part of this Act shall be in force within the same; and thereupon such district shall be a district specially proclaimed within the meaning of this part of this Act: Provided always, that it shall be lawful for the Lord Lieutenant, by a new proclamation, to be made by and with the advice of the Privy Council of

Ireland, to be published in the Dublin Gazette, to revoke any special proclamation issued under this part of this Act, as to the whole or any part of the district named in such special proclamation; and thereupon such special proclamation shall, from and after a day to be named in such new proclamation, stand and be revoked, so far as such new proclamation shall purport to revoke the same.

Lord Lieutenant may by notice revoke licences to have or carry arms in a specially proclaimed district.

19. It shall be lawful for the Lord Lieutenant, by notice in writing, to be signed by the Chief or Under Secretary and to be published in the Dublin Gazette, at any time or times to revoke all licences granted under the Peace Preservation Act to have or carry arms in any district specially proclaimed, and thereupon all such licences shall stand revoked, and shall be null and void to all intents and purposes.

Every such last-mentioned notice shall require every person to whom any licence thereby revoked was granted, and to whom a new licence shall not be granted under the said Peace Preservation Act, to deposit and leave on or before a day to be named in such notice, at a place or places to be named in such notice, or at the nearest police station or barrack, the arms for the having or carrying of which such revoked licence was granted; and such arms shall be kept, detained, and dealt with in the manner prescribed by section eleven of the principal Act in reference to arms deposited and left as therein mentioned.

Every person to whom any licence so revoked was granted, and to whom a new licence as aforesaid has not been granted, and who shall after the day named in such notice as aforesaid carry or have arms within such district, shall be guilty of carrying or having arms contrary to the provisions of the principal Act; provided always, that no person carrying any arms for the purpose only of depositing and leaving the same as herein-before mentioned shall by reason thereof be deemed or taken to be a person carrying or having any arms contrary to the provisions of the principal Act.

Printed copies of every special proclamation to be posted, &c.

20. Printed copies of every special proclamation or notice under the authority of this part of this Act shall be posted on or near to the door of one place of public worship, if there be such, in every parish, and of every police station and barrack, within the district named in such special proclamation, by some one or more of the constables or sub-constables of the Royal Irish Constabulary, and at the foot of every copy of any such special proclamation so posted as aforesaid an abstract of the provisions of this part of this Act shall be printed for the information of all persons affected by the said enactments; and after any constable or sub-constable has posted any such printed copies within such district, or any part thereof, he shall verify such posting by a solemn declaration annexed to such printed copy of such special proclamation and abstract or notice, to be made before a justice of the peace in the Form (VIII.) specified in the Schedule (A.) to this Act annexed, or

to the like effect, and such constable or sub-constable shall deposit such printed copy and declaration annexed thereto with the clerk of the peace for the county within which such district or any part thereof is situate, or his deputy, and the said clerk of the peace or deputy shall sign and date the same, and shall preserve the same amongst the records of the said county, and the production from the custody of such clerk of the peace or deputy of the said printed copy of such special proclamation, and abstract or notice and declaration annexed thereto, or of a copy of the same respectively signed and certified as a true copy by such clerk of the peace or deputy, shall in all proceedings, and for all purposes whatsoever, be conclusive evidence that the said proclamation and abstract or notice were duly posted within the district or part of the district in said declaration mentioned.

Production of Dublin Gazette containing publication of any special proclamation to be conclusive evidence of facts, &c.

21. The production of a printed copy of the Dublin Gazette, purporting to be printed and published by the Queen's authority, containing the publication of any special proclamation, under this part of this Act, shall be conclusive evidence of all such facts and circumstances as were or shall be necessary to authorise the issuing of any such special proclamation; and every such special proclamation shall be deemed and taken in all such courts respectively, to all intents and purposes whatsoever, to have been issued in conformity with this part of this Act.

Copies of special proclamations to be laid before Parliament.

22. A copy of every special proclamation issued under the authority of this Act shall be laid before each House of Parliament within fourteen days of the date of the same, if Parliament be then assembled, and if not then within fourteen days of the next subsequent meeting of Parliament.

Arrest of Persons out at Night under suspicious Circumstances.

Power to arrest persons in district specially proclaimed found out at night under suspicious circumstances.

23. It shall be lawful for any justice of the peace to arrest and bring before him, or cause to be arrested or brought before him, or for any constable, peace officer, or other person to arrest and bring before any justice of the peace any person who, within any district specially proclaimed and under suspicious circumstances, shall be in the fields, streets, highways, or elsewhere out of his dwelling or place of abode at any time from one hour after sunset until sunrise, and any such justice may order such person to be brought or appear before the justices of the peace assembled at the next petty sessions for the district in which such person was arrested, and may in the meantime commit such person to gaol or admit him to bail as to such justice shall seem fit, and the justices at such petty sessions assembled shall examine the person so brought or appearing before them, who shall in such case be a competent witness, and shall examine such other witnesses and receive such evidence as may be brought before them touching the charge, and if upon such hearing

the justices shall believe that such person was not out of his house upon some lawful occasion or business, such justices may commit him to gaol, there to be imprisoned with or without hard labour for any period not exceeding six calendar months.

Closing of Public Houses by order of Lord Lieutenant.

Power to Lord Lieutenant by order to close public-houses in districts specially proclaimed.

24. It shall be lawful for the Lord Lieutenant by order in writing, to be signed by the Chief or under Secretary, whenever he thinks fit to direct that any person who, in any district specially proclaimed, keeps any house or place for the sale of wine, spirits, ale, beer, or cyder by retail, shall, during the period specified in such order, close such house or place at sunset or at such time after sunset as shall be specified in such order; and every such order shall be served upon the person to whom the same is directed by delivering to him a copy of such order, or if he cannot be conveniently met with by leaving such copy at the house or place to which such order relates; and any person upon whom such order shall be served, and who shall keep open such house or other place in violation of such order, shall on conviction be liable to a penalty not exceeding fifty pounds, and to imprisonment for any period not exceeding three calendar months.

Power to arrest Strangers.

Power to arrest strangers in district specially proclaimed.

25. It shall be lawful for any justice of the peace to arrest and bring before him, or cause to be arrested or brought before him, or for any constable, peace officer, or other person to arrest and bring before any justice of the peace, any stranger sojourning or wandering in any district specially proclaimed, and for such justice to examine him respecting his place of abode, the place from whence he came, his manner of livelihood, and his object or motive for remaining or coming into the county, city, or town in which he shall be found, and unless he shall answer to the satisfaction of such justice, or produce sufficient security for his good behaviour, such justice shall commit him to gaol, there to remain until he shall find such security as aforesaid, or until he shall be discharged by a justice of the peace: Provided always, that such justice shall, without delay, after such committal, transmit to the Lord Lieutenant, a true and faithful report of such committal, and the grounds and reasons thereof, the amount of bail required, with the examination of the prisoner, and the reasons alleged by him why he should not be committed; which such justice is required to take down in writing, in order that such person may be detained or discharged, as to the Lord Lieutenant may seem right.

Summary Proceedings in certain Cases.

Power to justices to punish persons

26. When any person is charged in any district specially proclaimed before any justices of the peace assembled at petty

sessions with any offence contrary to any of the enactments specified in Part I. of the Schedule (B.) to this Act annexed, it shall be lawful for such justices, if they so think fit, to hear and determine the charge in a summary way, and if the person charged shall confess the same, or if such justices, after hearing the whole case for the prosecution and for the defence, shall find the charge to be proved, then it shall be lawful for such justices to convict the person charged, and commit him to gaol, there to be imprisoned, with or without hard labour, for any period not exceeding six calendar months; and if they find the offence not proved they shall dismiss the charge, and make out and deliver to the person charged a certificate under their hands, stating the fact of such dismissal; and every such conviction and certificate respectively may be in the Forms (III.) and (IV.) in the Schedule (A.) to this Act annexed, or to the like effect: Provided that if such justices are of opinion that the charge, from any circumstances, should be made the subject of prosecution by indictment, rather than be disposed of summarily, such justices shall, instead of summarily adjudicating thereon, deal with the case in all respects as if this Act had not been passed. If upon the hearing of the charge such justices shall be of opinion that there are circumstances in the case which render it inexpedient to inflict any punishment, they shall have power to dismiss the person charged, without proceeding to a conviction.

charged with certain offences.

Every person who obtains a certificate of dismissal or is convicted under this Act shall be released from all further or other criminal proceedings for the same cause.

27. In every case of summary proceeding under this Act the person accused shall be allowed to make his full answer and defence, and to have all witnesses examined and cross-examined by counsel or attorney.

Persons accused may have assistance of counsel, &c.

28. Any magistrate appointed to act at the police courts of the police district of Dublin metropolis, and sitting at a police court within the said district, or any stipendiary magistrate sitting in petty sessions, may do alone all acts by this part of this Act authorised to be done by justices of the peace at petty sessions.

Any metropolitan police magistrate or stipendiary magistrate may act alone.

Where any justices of the peace at petty sessions are by this part of this Act authorised to do any act, such act may be done by any two or more of such justices, provided always that one of such justices shall be a stipendiary magistrate.

Change of Venue.

29. Where any indictment found in any county specially proclaimed shall be removed by Certiorari into Her Majesty's Court of Queen's Bench at Dublin, and issue shall be joined on such indictment, the said court, in term time or in the vacation, shall, upon the application of Her Majesty's Attorney General for Ireland in that behalf, order a suggestion to be entered upon the record directing such issue to be tried in

Venue may be changed on suggestion of Attorney General.

such county as the court shall name, and specified in such suggestion other than the county in which such indictment was found, and such suggestion may be in the Form (V.) in the Schedule (A.) to this Act annexed, or to the like effect, and shall have the same force and effect as any suggestion by which if made on the record the issue joined on any such indictment might now by law be tried in a county other than the county in which such indictment was found, and thereupon all proceedings may be taken according to the practice of the said court for the trial of the person charged in such indictment, and such person may be tried, in the county in that behalf specified in such suggestion, and such proceedings and trial, and every verdict given at such trial, and any judgment thereon, shall be valid and effectual to all intents and purposes as if such person had been tried in the county in which the offence charged in such indictment was committed.

In case of any such indictment so removed as aforesaid the days or times allowed or required according to the practice of the court for appearing or pleading, or in any notice of motion or in any writ of Habeas corpus, or in or for any other step or proceeding relating to such indictment, shall run in vacation as well as in term time, and any order may be made in reference to such indictment or the proceedings thereon by the said Court of Queen's Bench, or by a judge thereof in vacation as well as in term time; and for the purposes of this section the said Court of Queen's Bench shall have power to sit in vacation.

PART III.

GENERAL PROVISIONS.

Newspapers.

Newspapers containing treasonable or seditious matters, &c. to be forfeited to Her Majesty.

30. Where it appears to the Lord Lieutenant that any newspaper printed or published, or purporting to be printed or published, in Ireland after the passing of this Act contains any treasonable or seditious engraving, matter, or expressions, or any incitements to the commission of any felony, or any engraving, matter, or expressions encouraging or propagating treason or sedition, or inciting to the commission of any felony, the Lord Lieutenant may cause a notice, in the Form (IX.) in the Schedule (A.) to this Act annexed, or to the like effect, to be published in the Dublin Gazette, and if such newspaper purports to be printed or published at any known house in Ireland, a true copy of such notice shall be served at such house on the proprietor or publisher or printer of any such newspaper, either personally or by leaving the same with his wife, child, servant, or any other inmate aged sixteen years or upwards; provided, that if such service cannot be effected, or admission into the said house or premises cannot be obtained,

then such service may be effected by posting on some conspicuous part upon such house or premises a true copy of such notice between the hours of eight o'clock a.m. and six o'clock p.m.; and where any person shall have served or posted any such notice as aforesaid, he shall verify such service or posting by a solemn declaration annexed to a printed copy of the Dublin Gazette containing such notice, to be made before a justice of the peace in the Form X. specified in the Schedule (A.) to this Act annexed, or to the like effect; and such printed copy and declaration annexed thereto shall be deposited with the clerk of the peace for the county within which such house is situate, or his deputy; and the said clerk of the peace, or deputy, shall sign and date the same, and shall preserve the same amongst the records of the said county; and the production from the custody of such clerk of the peace, or deputy, of the said printed copy of such Gazette and declaration annexed thereto, or of a copy of the same respectively, signed and certified as a true copy by such clerk of the peace, or deputy, shall in all proceedings, and for all purposes whatsoever, be conclusive evidence that the said notice was duly served or posted.

The production of a printed copy of the Dublin Gazette, purporting to be printed and published by the Queen's authority, containing the publication of any such notice as aforesaid, shall be conclusive evidence in all courts of justice in Ireland of all such facts and circumstances as were or shall be necessary to authorise the issuing of any such notice; and every such notice shall be deemed and taken in all such courts respectively, to all intents and purposes whatsoever, to have been issued in conformity with this part of this Act.

If, when seven days have expired in the case of a paper published at intervals of not less than a week, or two days in the case of a paper published at intervals of less than one week, after the publication of such notice and the service or posting thereof (if such there be), the said newspaper, or any newspaper belonging to or published by the same proprietor, printer, or publisher, or printed or published at the same premises, or under the same control or management, contains any treasonable or seditious engraving, matter, or expressions, or any incitements to the commission of any felony, or any engraving, matter, or expressions encouraging or propagating treason or sedition, or inciting to the commission of any felony, all printing presses, engines, machinery, types, implements, utensils, paper, and other plant and materials used or employed, or intended to be used or employed, in or for the purpose of printing or publishing such newspaper, or found in or about any premises where such newspaper is printed or published, and all copies of such newspaper, wherever found in Ireland, shall be forfeited to Her Majesty.

Where after the passing of this Act any newspaper printed elsewhere than in Ireland is published or circulated in Ireland,

and contains any such engraving, matter, expressions, or incitements as aforesaid, all copies of such newspaper, wherever found in Ireland, shall be forfeited to Her Majesty.

Power to Lord Lieutenant to issue warrant to search for and seize newspapers, printing presses, types, &c.

31. Where it appears to the Lord Lieutenant that any such newspaper after the publication and service of such notice, where such publication and service shall by this part of this Act be required, or that any such newspaper printed elsewhere than in Ireland and published or circulated in Ireland as aforesaid, contains any such engraving, matter, expressions, or incitements, as aforesaid, he may, by warrant under his hand in the Form (VI.) in the Schedule (A.) to this Act annexed, or to the like effect, empower any person or persons to whom such warrant is addressed, or his or their assistants, to enter upon any premises where the newspaper specified in said warrant, and containing such engraving, matter, expressions, or incitements as aforesaid, is printed or published, or where any printing press, engine, machine, types, implements, utensils, paper, or other plant or materials used or employed or intended to be used or employed, or suspected to be or to have been used or employed, for the printing or publishing of such newspaper as aforesaid shall be, or shall be suspected to be, or where any copy of such newspaper as aforesaid is sold, distributed, or published, or suspected to be sold, distributed, or published, or kept or deposited for sale, distribution, or publication, or suspected to be kept or deposited for sale, distribution, or publication, and to search for, seize, and take away such printing presses, engines, machines, types, papers, implements, utensils, and plant, and every copy of such newspaper as aforesaid; and no action, save as herein-after mentioned, shall be brought or maintained against any person for the issuing of such warrant, or for any entry, search, or seizure, or other act, matter, or thing done in pursuance or under the authority of any such warrant as aforesaid: Provided always, that any chattels so seized shall be kept and detained until the determination of any action brought as herein-after mentioned; and if such action shall be determined in favour of the plaintiff, being the owner of or entitled to the possession of such chattels, such chattels shall be restored to such plaintiff, and the jury shall take such restoration into consideration in mitigation of the damages to be awarded by them in such action.

Power to enter premises to execute warrant.

32. Where any person duly authorised by warrant, as aforesaid, to enter any premises, or his assistants, shall demand admittance, and give notice of such warrant, and the door of any house, room, shop, warehouse, outhouse, building, or other premises shall not be opened within reasonable time after the making of such demand, it shall be lawful for any such person, or his assistants, to break open such door, and to enter thereat, for the purpose of making such search or seizure as aforesaid, and if any person shall refuse to permit any person duly authorised in that behalf, or his assistants, to enter such pre-

mises for the purpose of making any such search or seizure, or shall resist, obstruct, molest, prevent, or hinder any such person, or his assistants, as aforesaid, in the making of any such search, or in the seizing or taking away of any goods, chattels, articles, matters, and things which may be lawfully seized, or otherwise in the execution of any warrant under this Act, such person shall be deemed guilty of assaulting or wilfully resisting or obstructing a peace officer in the due execution of his duty, and on conviction shall be punished accordingly.

Power to maintain action in case of illegal search or seizure.

33. Where any person, who but for the provisions of this part of this Act would be entitled to maintain an action for any search or seizure made under the authority of a warrant under this part of this Act, feels aggrieved by any search or seizure made under the authority of any such warrant, he may within two calendar months after such search or seizure commence an action in any of Her Majesty's Superior Courts of Common Law at Dublin against the person or persons to whom such warrant is addressed, or any of the assistants of such person or persons, and may claim damages on the ground that such search or seizure was illegal, because a notice was not published or served according to the provisions of this part of this Act, or because the newspaper specified in such warrant and in reference to which such search or seizure was made did not contain any engraving, matter, expressions, or incitements, by reason of which such newspaper was forfeited to Her Majesty under the provisions of this part of this Act, or because the chattels seized were not copies of such newspaper, or because the printing presses, engines, machinery, types, implements, utensils, paper, plant, and materials were not used or employed or intended to be used or employed or reasonably suspected to be or to have been used or employed or intended to be used or employed in or for the purpose of printing or publishing such newspaper, or because the chattels seized were not found in or about any premises where such newspaper as aforesaid was printed, published, sold, or distributed or kept or deposited for publication, sale, or distribution, or reasonably suspected to be published, sold, or distributed or kept for publication, sale, or distribution; and the defendant in such action may plead in defence to such action the defence in the Schedule (C.) to this Act annexed, or a defence to the like effect; and such action shall, except as is herein specially provided, be prosecuted, tried, and determined in every respect as any other action of tort brought in any of the said superior courts; and any copy or copies of the said newspaper published before the search or seizure complained of, and after the passing of this Act, may be given in evidence by the defendant in aid of the proof of the nature or tendency of the engraving, matter, expressions, or incitements used in the said newspaper, in reference to which the search or seizure complained of was made; and in the event of the jury finding that such notice

was duly published and served as aforesaid, or that such newspaper did contain any such engraving, matter, expressions, or incitements as aforesaid, or that the chattels seized were copies of such newspaper, or that the printing presses, engines, machinery, types, implements, utensils, paper, plant, and materials were used or employed, or intended to be used or employed, or reasonably suspected to be or to have been used or employed, or intended to be used or employed, in or for the purpose of printing or publishing such newspaper; or that the chattels seized were found in or about any premises where such newspaper as aforesaid was printed, published, sold, or distributed, or kept or deposited for publication, sale, or distribution, or reasonably suspected to be published, sold, or distributed, or kept for publication, sale, or distribution, the defendant shall be entitled to a verdict, and to his costs of suit; and if they shall find that such notice was not duly published and served as aforesaid, or that such newspaper did not contain any such engraving, matter, expressions, or incitements as aforesaid; or that the chattels seized were not copies of such newspaper, or that the printing presses, engines, machinery, types, implements, utensils, paper, plant, and materials were not used or employed, or intended to be used or employed, or reasonably suspected to be or to have been used or employed, or intended to be used or employed in or for the purpose of printing or publishing such newspaper, or that the chattels seized were not found in or about any premises where such newspaper as aforesaid was printed, published, sold, or distributed, or kept or deposited for publication, sale, or distribution, or reasonably suspected to be published, sold, or distributed, or kept for publication, sale, or distribution, the plaintiff shall be entitled to a verdict, and after final judgment to such damages as may be lawfully awarded by the jury, together with his costs of suit according to the practice of the court applicable to such an action; and where any such judgment shall be given for the plaintiff, there shall be paid to the plaintiff out of moneys to be provided by Parliament the damages awarded him, together with his costs of suit.

Term "newspaper."

34. The term "newspaper" in this part of this Act shall include two or more copies of a newspaper bearing the same name, whether published on the same day or on different days, and shall also include any series of newspapers whether printed on one day or different days, or with one name or with different names.

Regulations as to Gunpowder and Fire-arms.

No person not licensed as a manufacturer shall sell gunpowder without a licence for that purpose.

35. It shall not be lawful for any person not being duly licensed to manufacture gunpowder to deal in or sell gunpowder by retail or otherwise in Ireland, unless he shall have obtained a licence for that purpose from the Lord Lieutenant, or the chief or under secretary; and no such licence shall be granted

without a certificate, under the hands and seals of two or more justices of the peace in petty sessions assembled for the district within which such person shall carry on such trade, that such person is a proper person to obtain the same, and that his stores are secure and fit for the purpose of keeping gunpowder; and any person who shall sell gunpowder, by retail or otherwise, without being licensed for that purpose, or without being licensed to manufacture gunpowder as aforesaid, shall for every such offence be liable to a penalty not exceeding fifty pounds, and all gunpowder, and every cask or vessel in which the same shall be contained, found in the possession of, or in any house or other place belonging to such person, shall be forfeited to the use of Her Majesty.

Gunpowder makers and dealers, within thirty days after commencement of Act, and afterwards monthly, shall return account of their stock to chief officer of police, and keep books with accounts of sales, &c., to be inspected and stock examined.

36. Every maker or manufacturer of gunpowder, and every person dealing in or selling the same, in Ireland, shall within thirty days after the passing of this Act return an account to the chief officer of police in the district in which he resides of all the stock of gunpowder then in his possession, describing the place or places where the same is kept, and the packages containing the same, and shall provide a book in which such quantity shall be entered, and shall from time to time, in the first week of every calendar month, make or cause to be made a like return and like entry; and every such maker or manufacturer or dealer in gunpowder, by wholesale or retail, shall also enter or cause to be entered in a separate book to be by him for that purpose provided, and distinguished by the name of "the book of sales," an account of every parcel of gunpowder sold or disposed of or delivered, with the time when and to whom; and it shall be lawful for any justice of the peace, or any chief officer of police, or any person duly authorised by such justice or officer, at all reasonable times to have access to such books, and to examine the stock of such maker or seller of gunpowder, and compare and balance the same with the account kept in such books; and the several chief officers of police (except the chief officers of police within the police district of Dublin metropolis), to whom such accounts and returns shall be rendered, shall, from time to time, transmit the same to the inspector general of constabulary in Ireland as they may be by him directed; and if any such maker or manufacturer of, or dealer in, gunpowder shall not make such returns, or shall not truly make the same, or shall not keep such books, or shall not truly make, or cause to be made, such entries therein, or shall not, after demand, produce such books to any person hereby or by the said persons duly authorised as aforesaid, or shall not permit any such person to inspect the same, or to examine his stock, he shall, for the first offence, be liable to a penalty not exceeding ten pounds, and for any subsequent offence shall be liable to a penalty not exceeding twenty pounds.

Monthly account of arms sold, &c. shall be kept.

37. Every person who shall make, repair, or sell any gun, pistol, revolver, or other fire-arm, or any part thereof, shall

keep a book in which he shall enter or cause to be entered a monthly account of all such articles made, sold, or repaired by such person, and to or for whom and the respective times when the same were sold or repaired, and shall every month return a copy of such account to the chief officer of police in the district, and the chief officer of police of every district (except the police district of Dublin metropolis) shall transmit the same to the inspector general of constabulary in Ireland; and it shall be lawful for any justice of the peace, or chief officer of police, or any person duly authorised by such justice or officer, at all reasonable times, on demand, to have access to such book, to examine the same; and if any person making, repairing, or selling any such article shall not keep such book, or shall not truly enter or cause to be entered therein such account as aforesaid, or shall omit to make any such return as aforesaid, or shall not, after demand, produce such book to any person hereby or by the said persons duly authorised as aforesaid, or shall not permit such person to examine the same, he shall for the first offence be liable to a penalty not exceeding ten pounds, and for any subsequent offence be liable to a penalty not exceeding twenty pounds.

Power to apprehend Witnesses absconding.

Power of apprehending absconding witnesses.

38. Whenever any person shall be bound by recognizance to give evidence at any trial, or at the hearing of any charge, it shall be lawful for any justice, if he shall see fit, upon the application of any person, and upon information being made in writing, and on oath by such person that the person so bound to give evidence is about to abscond or has absconded, to issue his warrant for the arrest of such person so bound to give evidence, and afterwards, when such person has been arrested upon being satisfied that the ends of justice would otherwise be defeated, to commit such person when so arrested to gaol until such trial or hearing, or until he shall produce another sufficient surety or other sufficient sureties, as the case may be, in like manner as before.

Power to Grand Jury to present Compensation in certain Cases.

Power to grand jury to present compensation to be paid in certain cases of murder or maiming.

39. Where it shall appear that any person has been murdered, maimed, or otherwise injured in his person, and that such murder, maiming, or injury is a crime of the character commonly known as agrarian, or arising out of any illegal combination or conspiracy, the grand jury of the county within which such murder, maiming, or injury shall have been committed shall, upon application, as herein-after directed, present such sum or sums of money as they shall think just and reasonable to be paid to the personal representative of the person so murdered, or to the person so maimed or injured, having regard to the rank, degree, situation, and circumstances of such person; such money to be

raised off the county at large or the barony, half-barony, or other district in which such murder or maiming shall respectively have been perpetrated, at the discretion of such grand jury; and every such presentment shall be made and levied in the like manner, and shall, save as is by this Act expressly provided, be subject to the like conditions as any presentment made under the authority of section one hundred and six of an Act passed in the session of Parliament held in the sixth and seventh years of the reign of His late Majesty King William the Fourth, chapter one hundred and sixteen, intituled "An Act to consolidate and amend the Laws relating "to the presentment of public money by Grand Juries in "Ireland." No such presentment shall be traversed, but shall be subject to appeal as herein-after mentioned.

Applications may be made by the personal representative or one of the next of kin of any person murdered, or by any person maimed or injured, or by the Crown solicitor of the county, or by any person in that behalf authorised by the Lord Lieutenant.

Any person intending to apply for a presentment under the provisions of this section in respect of any murder, maiming, or injury, shall publish a notice stating his intention of so applying in the newspaper in which grand jury notices for the county are published, and shall serve notice in writing of such murder, maiming, or injury, and of such his intention, upon the high constable of the barony, or upon two of the principal inhabitants of the parish wherein such offence shall have been committed, and at the nearest police station, fourteen days at least before the holding of the next assizes; and copies of such notice shall within the same time be affixed on or immediately adjacent to the doors of every police barrack within such barony, and every such person shall lodge with the high constable and secretary of the grand jury within the same time an application setting forth the loss or damage occasioned by such offence, and stating the time and place when and where such murder, maiming, or injury took place, and the amount of damage claimed, and such application shall be scheduled by the secretary of the grand jury, and shall be delivered by him to the grand jury at the next assizes.

Where between the commission of any such offence as aforesaid, and the holding of the next assizes, there shall not be sufficient time for the service of the notices herein-before required, such application shall be made at the assizes, which shall be holden next but one after the time of the commission of such offence.

In case such grand jury shall refuse to make such presentment, or in case the person or persons applying for such presentment shall be dissatisfied with the amount presented, or in case any person chargeable with any of the moneys so presented shall be desirous of opposing such presentment, such

applicant or ratepayer may appeal to one of the going judges of assize, who shall inquire into such application or presentment and the grounds and reasons for passing or refusing the same, and if such judge shall be reasonably satisfied that such presentment ought to be made, he shall affirm or make such presentment for such amount as to him shall seem fit, and the presentment shall be valid and effectual for such amount to all intents and purposes, and shall and may be levied after such assizes; but if the judge shall be of opinion that there was no ground for such presentment he shall disallow or refuse to make the same, and the same, if passed by the grand jury, shall thereupon be null and void; and in case the judge shall be of opinion that the appeal was reasonable he may award the reasonable costs in that behalf to the appellant, which shall be added to the amount of such presentment if the same shall be affirmed or made, and if such presentment shall be disallowed or refused the amount of such costs shall be levied as if lawfully presented at such assizes by such grand jury off the county at large.

Recovery of penalties.

40. Every penalty recoverable under the provisions of this Act shall be recoverable in a summary way, with respect to the police district of Dublin metropolis subject and according to the provisions of any Act regulating the powers and duties of justices of the peace for such district or of the police of such district, and with respect to other parts of Ireland, before a justice or justices of the peace sitting in petty sessions, subject and according to the provisions of The Petty Sessions (Ireland) Act, 1851, and any Act amending the same, and with the like right and power of appeal as in the said Act is given and provided for, and shall be applied according to the provisions of The Fines Act (Ireland), 1851, or any Act amending the same.

Declaration as to applicability of certain enactments.

41. It is hereby declared and enacted that the parts of Acts in Part II. of the Schedule (B.) to this Act annexed do not and shall not apply to any information filed in Her Majesty's Court of Queen's Bench at Dublin, or to any indictment found in or removed by the writ of Certiorari into the said Court, or to the trial of any issue joined on any such information or indictment; and it is hereby declared and enacted, that the term the "court house of any county" as used in section four of The Juries Act (Ireland), 1868, does and shall, so far as relates to the county of Dublin, include the Court of Queen's Bench, or any Court within the building known as the Four Courts at Dublin.

SCHEDULE (A.)

FORMS.

FORM (I.)

Summons to Witness.

The Queen *v.* persons unknown. } Petty Sessions District of County of

WHEREAS it appears that (1)

(1) *Set out felony or misdemeanor.*

This is to command you to appear as a witness before me at on the day of at o'clock, then and there to be examined before me touching the premises.

(Signed) Justice of said county.

This day of 187

To , of

FORM (II.)

Warrant to search.

Petty Sessions District of County of

WHEREAS it appears on the oath of *A.B.* of *M.N.* there is reasonable cause to suspect that a threatening letter *or* notice (1) [*as the case may be*] was written by one *C.D.* of , and that there is to be found in the house *or* place [*as the case may be*] belonging to or under the control of the said *C.D.* [*as the case may be*] at (2), some document or documents in the handwriting of the said *C.D.*

(1) *Set out particulars.*

(2) *State particulars of house or place.*

This is therefore to authorise and require you to enter into the said house *or* place [*as the case may be*], and to search for said document or documents, and to bring the same to me or some other justice.

(Signed) Justice of the said county.

This day of 187 .

To , of

FORM (III.)

Conviction.

to wit. } BE it remembered, that on the day of in the year of our Lord , at in the said [county], *A.B.*, being charged before us the undersigned of Her Majesty's justices of the peace for the said [county], is convicted before us, for that [he the said *A.B., &c., stating the offence, and the time and place when and where committed*]; and we adjudge the said *A.B.* for his said offence to be imprisoned in the [gaol] at in the said [county], [and there be kept to hard labour] for the space of .

Given under our hands and seals, the day and year first above mentioned, at in the [county] aforesaid.

J.S. (L.S.)

H.M. (L.S.)

FORM (IV.)

Certificate of Dismissal.

to wit. } WE, of Her Majesty's justices of the peace for the [county] of certify, That on the day of in the year of our Lord at in the said [county] *A.B.* being charged before us, for that [he the said *A.B.*, *stating the offence charged, and the time and place when and where alleged to be committed*], we did, having summarily adjudicated thereon, dismiss the said charge.

Given under our hands and seals, this day of at in the [county] aforesaid.

J.S. (L.S.)
H.M. (L.S.)

FORM (V.)

Suggestion.

In the Queen's Bench.

day, the day of .

The Queen *v.* } IT is hereby directed by the Court that the issue [*or* issues] above joined shall be tried by a jury of the county of .

FORM (VI.)

Warrant to search for and seize Printing Presses, Newspapers, &c.

By the Lord Lieutenant General and General Governor of Ireland.

WHEREAS a certain newspaper, to wit (1) contains (2)

This is to authorise and require you and your assistants to enter into (3) and to search for (4), and to seize and take away all (5) which you shall there find.

This day of 187

To , of

(1) *State name of newspaper.*
(2) *Describe or state engraving, matter, expressions, or incitements on account of which search or seizure directed.*
(3) *Describe premises.*
(4) *State articles to be searched for.*
(5) *State articles to be seized.*

FORM (VII.)

Posting of Proclamations, &c.

Form of Solemn Declaration.

I, *A.B.* (constable or sub-constable), do solemnly and sincerely declare, that on the day of and [*here insert the dates*] I posted on or near to the doors of one place of public worship [*if there be such*] of every parish and of every police station and barrack within that part of the district named or referred to in the annexed (proclamation or notice), known and called by the name of [*here insert name of barony, half-barony, townland, &c.*], true copies of the annexed (proclamation and abstract or notice); and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act passed in the

sixth year of the reign of His Majesty King William the Fourth, chapter sixty-two, for the abolition of unnecessary oaths.

(Signed) *A.B.*

Made and subscribed before me this day of in the year 187 .

(Signed) *C.D.*, Justice of the Peace.

FORM (VIII.)

Posting of Special Proclamation.

Form of Solemn Declaration.

I, *A.B.* (constable or sub-constable), do solemnly and sincerely declare, that on the day of and [*here insert the dates*] I posted on or near to the doors of one place of public worship [*if there be such*] of every parish and of every police station and barrack within that part of the district named or referred to in the annexed (special proclamation or notice), known and called by the name of [*here insert name of barony, half-barony, townland, &c.*], true copies of the annexed (proclamation and abstract or notice); and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act passed in the sixth year of the reign of His Majesty King William the Fourth, chapter sixty-two, for the abolition of unnecessary oaths.

(Signed) *A.B.*

Made and subscribed before me this day of in the year 187 .

(Signed) *C.D.*, Justice of the Peace.

FORM (IX.)

Notice under Provisions of Section 30 of this Act.

By the Lord Lieutenant General and General Governor of Ireland.

WHEREAS a certain newspaper, to wit [*state name of newspaper*], contains [*describe or state in terms of Act as graving, matter, expressions, or incitements in reference to which notice is given*].

This is to give notice to all whom it may concern, and to give all such persons warning according to the provisions, and for the purposes of Section 30 of the Peace Preservation (Ireland) Act, 1870.

This day of 187 .

FORM (X.)

Service or posting of Notices under Section 30 of this Act.

Form of Solemn Declaration.

I, *A.B.*, do solemnly and sincerely declare, that on the day of and [*here insert the dates*] I served at or posted upon [*describe house*] a true copy of the notice marked A in the annexed copy of the "Dublin Gazette;" and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act passed in the sixth year of the

reign of His Majesty King William the Fourth, chapter sixty-two, for the abolition of unnecessary oaths.

(Signed) *A.B.*

Made and subscribed before me this day of in the year 187 .

(Signed) *C.D.*, Justice of the Peace.

SCHEDULE (B.)

PART I.

ENACTMENTS referred to in Section 26 of this Act.

15 & 16 Geo. 3. (Irish), c. 21. s. 2.
60 Geo. 3. & 1 Geo. 4. c. 1. s. 1.
Principal Act (11 & 12 Vict. c. 2.), ss. 9 and 12.
Section 6 of this Act.

PART II.

PARTS of ACTS referred to in Section 41 of this Act.

3 & 4 Will. 4. c. 91. ss. 12 and 19.
16 & 17 Vict. c. 113. ss. 109, 110, 111, and 112.

SCHEDULE (C.)

Defence in an Action under Section 33 of this Act.

A.B., Plaintiff. } Court of
C.D., Defendant. } day, the day of 187 .

THE said *A.B.* appears and takes defence to the action of the said *C.D.*, and says, that notice respecting the said (1) was duly published and served in accordance with the provisions of Part III. of the Peace Preservation (Ireland) Act, 1870, and the defendant says that the acts in the summons and plaint complained of were done under and by virtue of a certain warrant under the hand of the Lord Lieutenant of Ireland, bearing date the day of , and issued under the authority of Part III. of the Peace Preservation (Ireland) Act, 1870, in respect of a certain newspaper specified in such warrant, to wit (1), and which newspaper the defendant avers contained (2), the particulars of which are endorsed hereon, and the defendant says that the chattels seized were (3), and therefore he defends the action.

Endorsement of Particulars.

[*Describe or state the engraving, matter, expressions, or incitements as in Warrant.*]

(1) *State name of newspaper.*
(2) *State in terms of Act the nature of the matter on account of which warrant issued.*
(3) *State in terms of Act, e. gr., copies of such newspaper or printing presses, &c. (as the case may be) used or employed, or intended to be used or employed, or reasonably suspected to be or to have been used or employed (according to the alleged facts), or found in or about certain premises (to wit) where such newspaper was printed or published or sold (as the case may be).*

CHAP. 10.

An Act to consolidate and amend the law relating to the Coinage and Her Majesty's Mint.

[4th April 1870.]

WHEREAS it is expedient to consolidate and amend the law relating to the Coinage and Her Majesty's Mint:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Coinage Act, 1870."

Definitions of terms.

2. In this Act—

The term "Treasury" means the Lord High Treasurer for the time being, or the Commissioners of Her Majesty's Treasury for the time being, or any two of them;

The term "the Mint" means, except as expressly provided, Her Majesty's Royal Mint in England;

The term "British possession" means any colony, plantation, island, territory, or settlement within Her Majesty's dominions and not within the United Kingdom; and

The term "person" includes a body corporate.

Standard of coins.

3. All coins made at the Mint of the denominations mentioned in the first schedule to this Act shall be of the weight and fineness specified in that schedule, and the standard trial plates shall be made accordingly.

If any coin of gold, silver, or bronze, but of any other denomination than that of the coins mentioned in the first schedule to this Act, is hereafter coined at the Mint, such coin shall be of a weight and fineness bearing the same proportion to the weight and fineness specified in that schedule as the denomination of such coin bears to the denominations mentioned in that schedule.

Provided that in the making of coins a remedy (or variation from the standard weight and fineness specified in the said first schedule) shall be allowed of an amount not exceeding the amount specified in that schedule.

Legal tender.

4. A tender of payment of money, if made in coins which have been issued by the Mint in accordance with the provisions of this Act, and have not been called in by any proclamation made in pursuance of this Act, and have not become diminished in weight, by wear or otherwise, so as to be of less weight than the current weight, that is to say, than the weight (if any) specified as the least current weight in the first schedule to this Act, or less than such weight as may be declared by any proclamation made in pursuance of this Act, shall be a legal tender,—

In the case of gold coins for a payment of any amount:

In the case of silver coins for a payment of an amount not exceeding forty shillings, but for no greater amount:

In the case of bronze coins for a payment of an amount not exceeding one shilling, but for no greater amount.

Nothing in this Act shall prevent any paper currency which under any Act or otherwise is a legal tender from being a legal tender.

Prohibition of other coins and tokens.

5. No piece of gold, silver, copper, or bronze, or of any metal or mixed metal, of any value whatever, shall be made or issued, except by the Mint, as a coin or a token for money, or as purporting that the holder thereof is entitled to demand any value denoted thereon. Every person who acts in contravention of this section shall be liable on summary conviction to a penalty not exceeding twenty pounds.

Contracts, &c. to be made in currency.

6. Every contract, sale, payment, bill, note, instrument, and security for money, and every transaction, dealing, matter, and thing whatever relating to money, or involving the payment of or the liability to pay any money, which is made, executed, or entered into, done or had, shall be made, executed, entered into, done and had according to the coins which are current and legal tender in pursuance of this Act, and not otherwise, unless the same be made, executed, entered into, done or had according to the currency of some British possession or some foreign state.

Defacing light gold coin.

7. Where any gold coin of the realm is below the current weight as provided by this Act, or where any coin is called in by any proclamation, every person shall, by himself or others, cut, break, or deface any such coin tendered to him in payment, and the person tendering the same shall bear the loss.

If any coin cut, broken, or defaced in pursuance of this section is not below the current weight, or has not been called in by any proclamation, the person cutting, breaking, or defacing the same shall receive the same in payment according to its denomination. Any dispute which may arise under this section may be determined by a summary proceeding.

Coining of bullion taken to the Mint.

8. Where any person brings to the Mint any gold bullion, such bullion shall be assayed and coined, and delivered out to such person, without any charge for such assay or coining, or for waste in coinage:

Provided that—

(1.) If the fineness of the whole of the bullion so brought to the Mint is such that it cannot be brought to the standard fineness under this Act of the coin to be coined thereout, without refining some portion of it, the master of the Mint may refuse to receive, assay, or coin such bullion:

(2.) Where the bullion so brought to the Mint is finer than the standard fineness under this Act of the coin to be coined thereout, there shall be delivered to the person bringing the same such additional amount of coin as is proportionate to such superior fineness.

No undue preference shall be shown to any person under this section, and every person shall have priority according to the time at which he brought such bullion to the Mint.

Purchase of bullion.

9. The Treasury may from time to time issue to the master of the Mint, out of the growing produce of the Consolidated Fund, such sums as may be necessary to enable him to purchase bullion in order to provide supplies of coin for the public service.

Payment of profits, &c. to Exchequer.

10. All sums received by the master of the Mint, or any deputy master or officer of the Mint, in payment for coin produced from bullion purchased by him, and all fees and payments received by the master or any deputy master or officer of the Mint as such, shall (save as otherwise provided in the case of any branch mint in a British possession by a proclamation respecting such branch mint) be paid into the receipt of the Exchequer, and carried to the Consolidated Fund.

Regulations by proclamation.

11. It shall be lawful for Her Majesty, with the advice of Her Privy Council, from time to time by proclamation to do all or any of the following things; namely,

(1.) To determine the dimension of and design for any coin:

(2.) To determine the denominations of coins to be coined at the Mint:

(3.) To diminish the amount of remedy allowed by the first schedule to this Act in the case of any coin:

(4.) To determine the weight (not being less than the weight (if any) specified in the first schedule to this Act) below which a coin, whether diminished in weight by wear or otherwise, is not to be a current or a legal tender:

(5.) To call in coins of any date or denomination, or any coins coined before the date in the proclamation mentioned:

(6.) To direct that any coins, other than gold, silver, or bronze, shall be current and be a legal tender for the payment of any amount not exceeding the amount specified in the proclamation, and not exceeding five shillings:

(7.) To direct that coins coined in any foreign country shall be current, and be a legal tender, at such rates, up to such amounts, and in such portion of Her Majesty's dominions as may be specified in the proclamation; due regard being had in fixing those rates to the weight and fineness of such coins, as compared with the current coins of this realm:

(8.) To direct the establishment of any branch of the Mint in any British possession, and impose a charge for the coinage of gold thereat; determine the application of such charge; and determine the extent to

which such branch is to be deemed part of the Mint, and to which coins issued therefrom are to be current and be a legal tender, and to be deemed to be issued from the Mint:

(9.) To direct that the whole or any part of this Act shall apply to and be in force in any British possession, with or without any modifications contained in the proclamation:

(10.) To regulate any matters relative to the coinage and the Mint within the present prerogative of the Crown which are not provided for by this Act:

(11.) To revoke or alter any proclamation previously made.

Every such proclamation shall come into operation on the date therein in that behalf mentioned, and shall have effect as if it were enacted in this Act.

Trial of the pyx.

12. For the purpose of ascertaining that coins issued from the Mint have been coined in accordance with this Act, a trial of the pyx shall be held at least once in every year in which coins have been issued from the Mint.

It shall be lawful for Her Majesty, with the advice of Her Privy Council, from time to time, by order, to make regulations respecting the trial of the pyx and all matters incidental thereto, and in particular respecting the following matters; viz.,

(1.) The time and place of the trial:

(2.) The setting apart out of the coins issued by the Mint certain coins for the trial:

(3.) The summoning of a jury of not less than six out of competent freemen of the mystery of goldsmiths of the city of London or other competent persons:

(4.) The attendance at the trial of the jury so summoned, and of the proper officers of the Treasury, the Board of Trade, and the Mint, and the production of the coins so set apart, and of the standard trial plates and standard weights:

(5.) The proceedings at and conduct of the trial, including the nomination of some person to preside thereat, and the swearing of the jury, and the mode of examining the coins:

(6.) The recording and the publication of the verdict, and the custody of the record thereof, and the proceedings (if any) to be taken in consequence of such verdict.

Every such order shall come into operation on the date therein in that behalf mentioned, and shall have effect as if it were enacted in this Act, but may be revoked or altered by any subsequent order under this section.

Regulations by Treasury.

13. The Treasury may from time to time do all or any of the following things:

(1.) Fix the number and duties of the officers of and persons employed in the Mint:

(2.) Make regulations and give directions (subject to the provisions of this Act and any proclamation made thereunder) respecting the general management of the Mint, and revoke and alter such regulations and directions.

Master and Officers of Mint.

Master of Mint.

14. The Chancellor of the Exchequer for the time being shall be the master, worker, and warden of Her Majesty's Royal Mint in England, and governor of the Mint in Scotland.

Provided that nothing in this section shall render the Chancellor of the Exchequer incapable of being elected to or of sitting or voting in the House of Commons, or vacate the seat of the person who at the passing of this Act holds the office of Chancellor of the Exchequer.

All duties, powers, and authorities imposed on or vested in or to be transacted before the master of the Mint may be performed and exercised by or transacted before him or his sufficient deputy.

Deputy masters and officers.

15. The Treasury may from time to time appoint deputy masters and other officers and persons for the purpose of carrying on the business of the Mint in the United Kingdom or elsewhere, and assign them their duties, and award them their salaries.

The master of the Mint may from time to time promote, suspend, and remove any such deputy masters, officers, and persons.

Standard Trial Plates and Weights.

Custody, &c. of standard trial plates.

16. The standard trial plates of gold and silver used for determining the justness of the gold and silver coins of the realm issued from the Mint, which now exist or may hereafter be made, and all books, documents, and things used in connexion therewith or in relation thereto, shall be in the custody of the Board of Trade, and shall be kept in such places and in such manner as the Board of Trade may from time to time direct; and the performance of all duties in relation to such trial plates shall be part of the business of the Standard weights and measures Department of the Board of Trade.

The Board of Trade shall from time to time, when necessary, cause new standard trial plates to be made and duly verified, of such standard fineness as may be in conformity with the provisions of this Act.

Stan weights for coin.

17. The standard weights for weighing and testing the coin of the realm shall be placed in the custody of the Board of Trade, and be kept in such places and in such manner as the Board of Trade may from time to time direct; and the performance of all duties in relation to such standard weights

shall be part of the business of the Standard weights and measures Department of the Board of Trade.

The Board of Trade shall from time to time cause weights of each coin of the realm for the time being, and of multiples of such of those weights as may be required, to be made and duly verified; and those weights, when approved by Her Majesty in Council, shall be the standard weights for determining the justness of the weight of and for weighing such coin.

The master of the Mint shall from time to time cause copies to be made of such standard weights, and once at least in every year the Board of Trade and the master of the Mint shall cause such copies to be compared and duly verified with the standard weights in the custody of the Board of Trade.

All weights which are not less in weight than the weight prescribed by the first schedule to this Act for the lightest coin, and are used for weighing coin, shall be compared with the said standard weights, and if found to be just shall, on payment of such fee, not exceeding five shillings, as the Board of Trade from time to time prescribe, be marked by some officer of the Standard weights and measures Department of the Board of Trade with a mark approved of by the Board of Trade, and notified in the London Gazette; and a weight which is required by this section to be so compared, and is not so marked, shall not be deemed a just weight for determining the weight of gold and silver coin of the realm.

If any person forges or counterfeits such mark, or any weight so marked, or wilfully increases or diminishes any weight so marked, or knowingly utters, sells, or uses any weight with such counterfeit mark, or any weight so increased or diminished, or knowingly uses any weight declared by this section not to be a just weight, such person shall be liable to a penalty not exceeding fifty pounds.

All fees paid under this section shall be paid into the Exchequer, and carried to the Consolidated Fund.

Legal Proceedings.

Summary procedure.

18. Any summary proceeding under this Act may be taken, and any penalty under this Act may be recovered,—

In England, before two justices of the peace in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties "of justices of the peace out of sessions within England and "Wales with respect to summary convictions and orders," and any Act amending the same.

In Scotland, in manner directed by The Summary Procedure Act, 1864.

In Ireland, so far as respects Dublin, in manner directed by the Acts regulating the powers of justices of the peace or the

police of Dublin metropolis, and elsewhere in manner directed by The Petty Sessions (Ireland) Act, 1851, and any Act amending the same.

In any British possession, in the courts, and before such justices or magistrates, and in the manner in which the like proceedings and penalties may be taken and recovered by the law of such possession, or as near thereto as circumstances admit, or in such other courts, or before such other justices or magistrates, or in such other manner as any Act or Ordinance having the force of law in such possession may from time to time provide.

Miscellaneous.

Extent of Act.

19. This Act, save as expressly provided by this Act, or by any proclamation made thereunder, shall not extend to any British possession.

Repeal of Acts and parts of Acts in second schedule.

20. The Acts mentioned in the first part of the second schedule to this Act are hereby repealed to the extent in the third column of such schedule mentioned, and those mentioned in the second part of the same schedule are hereby repealed entirely.

Provided that,—

(1.) This repeal shall not affect anything already done or suffered, or any right already acquired or accrued:

(2.) All weights for weighing coin which have before the passing of this Act been marked at the Mint or by any proper officer shall be deemed to have been marked under this Act:

(3.) Every branch of the Mint which at the passing of this Act issues coins in any British possession shall, until the date fixed by any proclamation made in pursuance of this Act with respect to such branch Mint, continue in all respects to have the same power of issuing coins and be in the same position as if this Act had not passed, and coins so issued shall be deemed for the purpose of this Act to have been issued from the Mint:

(4.) The said Acts (unless relating to a branch Mint and unless in the said schedule expressly otherwise mentioned) are not repealed so far as they apply to any British possession to which this Act does not extend until a proclamation directing that this Act or any part thereof, with or without any modification contained in the proclamation, shall be in force in such British possession comes into operation.

SCHEDULES.

FIRST SCHEDULE.

Denomination of Coin.	Standard Weight.		Least Current Weight.		Standard Fineness.	Remedy Allowance.		
						Weight per piece.		Millesimal Fineness.
	Imperial Weight. Grains.	Metric Weight. Grams.	Imperial Weight. Grains.	Metric Weight. Grams.		Imperial Grains.	Metric Grams.	
GOLD:								
Five Pound	616·37239	39·94028	612·50000	39·68935	Eleven-twelfths fine gold, one-twelfth alloy; or millesimal fineness 916·66.	1·00000	0·06479	0·002
Two Pound	246·54895	15·97611	245·00000	15·87574		0·40000	0·02592	
Sovereign	123·27447	7·98805	122·50000	7·93787		0·20000	0·01296	
Half Sovereign	61·63723	3·99402	61·12500	3·96083		0·10000	0·00648	
SILVER:								
Crown	436·36363	28·27590	—	—	Thirty-seven-fortieths fine silver, three-fortieths alloy; or millesimal fineness 925.	1·81818	0·11781	0·004
Half Crown	218·18181	14·13795	—	—		0·90909	0·05890	
Florin	174·54545	11·31036	—	—		0·72727	0·04712	
Shilling	87·27272	5·65518	—	—		0·36363	0·02356	
Sixpence	43·63636	2·82759	—	—		0·18181	0·01178	
Groat or Fourpence	29·09090	1·88506	—	—		0·12121	0·00785	
Threepence	21·81818	1·41379	—	—		0·09090	0·00589	
Twopence	14·54545	0·94253	—	—		0·06060	0·00392	
Penny	7·27272	0·47126	—	—		0·03030	0·00196	
BRONZE:								
Penny	145·83333	9·44984	—	—	Mixed metal, copper, tin, and zinc.	2·91666	0·18899	None.
Halfpenny	87·50000	5·66990	—	—		1·75000	0·11339	
Farthing	43·75000	2·83495	—	—		0·87500	0·05669	

The weight and fineness of the coins specified in this Schedule are according to what is provided by the Act fifty-six George the Third, chapter sixty-eight, that the gold coin of the United Kingdom of Great Britain and Ireland should hold such weight and fineness as were prescribed in the then existing Mint indenture (that is to say), that there should be nine hundred and thirty-four sovereigns and one ten shilling piece contained in twenty pounds weight troy of standard gold, of the fineness at the trial of the same of twenty-two carats fine gold and two carats of alloy in the pound weight troy; and further, as regards silver coin, that there should be sixty-six shillings in every pound troy of standard silver of the fineness of eleven ounces two pennyweights of fine silver and eighteen pennyweights of alloy in every pound weight troy.

SECOND SCHEDULE.

FIRST PART.

Acts partly repealed.

Year and Chapter.	Title.	Extent of Repeal.
2 Hen. 6. c. 17.* -	For regulating and ascertaining the fineness of silver work.	So much as relates to the master of the Mint.
29 & 30 Vict. c. 82.	An Act to amend the Acts relating to the standard weights and measures, and to the standard trial pieces of the coin of the realm.	Section thirteen.

* c. 14. in Ruffhead.

SECOND PART.

Acts wholly repealed.

Year and Chapter.	Title.
18 & 19 Cha. 2. c. 5.*	An Act for encouraging of coinage.
‡6 Anne, c. 57.†	An Act for ascertaining the rates of foreign coins in Her Majesty's plantations in America.
‡13 Geo. 3. c. 57.	An Act to explain and amend an Act made in the fourth year of His present Majesty, intituled "An Act to prevent paper bills of credit hereafter to be issued in any of His Majesty's colonies or plantations in America from being declared to be a legal tender in payments of money, and to prevent the legal tender of such bills as are now subsisting from being prolonged beyond the periods limited for calling in and sinking the same."
14 Geo. 3. c. 70.	An Act for applying a certain sum of money for calling in and recoining the deficient gold coin of this realm; and for regulating the manner of receiving the same at the Bank of England, and of taking there an account of the deficiency of the said coin and making satisfaction for the same; and for authorising all persons to cut and deface all gold coin that shall not be allowed to be current by His Majesty's proclamation.
14 Geo. 3. c. 92.	An Act for regulating and ascertaining the weights to be made use of in weighing the gold and silver coin of this kingdom.
15 Geo. 3. c. 30.	An Act for allowing the officer appointed to mark or stamp the weights to be made use of in weighing the gold and silver coin of this kingdom, in pursuance of an Act made in the last session of Parliament, to take certain fees in the execution of his office.

* 18 Cha. 2. in Ruffhead.
† c. 30. in Ruffhead.
‡ Repealed as to the whole of Her Majesty's dominions upon the passing of this Act.

Year and Chapter.	Title.
39 Geo. 3. c. 94.	An Act to ascertain the salary of the master and worker of His Majesty's Mint.
52 Geo. 3. c. 138.	An Act for the further prevention of the counterfeiting of silver tokens issued by the Governor and Company of the Bank of England called dollars, and of silver pieces issued and circulated by the said Governor and Company called tokens, and for the further prevention of frauds practised by the imitation of the notes or bills of the said Governor and Company.
52 Geo. 3. c. 157.	An Act to prevent the issuing and circulating of pieces of gold and silver or other metal, usually called tokens, except such as are issued by the Banks of England and Ireland respectively.
54 Geo. 3. c. 4. -	An Act to continue until six weeks after the commencement of the next session of Parliament an Act passed in the last session of Parliament, intituled "An Act "to continue and amend an Act of the present session, to prevent the issuing and circulating of pieces "of gold and silver or other metal, usually called "tokens, except such as are issued by the Banks of "England and Ireland respectively."
56 Geo. 3. c. 68.	An Act to provide for a new silver coinage, and to regulate the currency of the gold and silver coin of this realm.
57 Geo. 3. c. 46.	An Act to prevent the issuing and circulating of pieces of copper or other metal usually called tokens.
57 Geo. 3. c. 67.	An Act to regulate certain offices, and abolish others, in His Majesty's Mints in England and Scotland respectively.
57 Geo. 3. c. 113.	An Act to prevent the further circulation of dollars and tokens issued by the Governor and Company of the Bank of England for the convenience of the public.
6 Geo. 4. c. 79. -	An Act to provide for the assimilation of the currency and moneys of account throughout the United Kingdom of Great Britain and Ireland.
6 Geo. 4. c. 98. -	An Act to prevent the further circulation of tokens issued by the Governor and Company of the Bank of Ireland for the convenience of the public, and for defraying the expense of exchanging such tokens.
1 & 2 Will. 4. c. 10.	An Act to reduce the salary of the master and worker of His Majesty's Mint.
7 Will. 4. & 1 Vict. c. 9.	An Act to amend several Acts relating to the Royal Mint.
12 & 13 Vict. c. 41.	An Act to extend an Act of the fifty-sixth year of King George the Third, for providing for a new silver coinage, and for regulating the currency of the gold and silver coin of this realm.
22 & 23 Vict. c. 30.	An Act to extend the enactments relating to the copper coin to coin of mixed metal.
26 & 27 Vict. c. 74.	An Act to enable Her Majesty to declare gold coins to be issued from Her Majesty's Branch Mint at Sydney, New South Wales, a legal tender for payments; and for other purposes relating thereto.
29 & 30 Vict. c. 65.	An Act to enable Her Majesty to declare gold coins to be issued from Her Majesty's Colonial Branch Mints a legal tender for payments; and for other purposes relating thereto.

CHAP. 11.

An Act to enable the officers employed in the Collector-General of Rates' office in the city of Dublin to vote at Parliamentary Elections for that city.

[12th May 1870.]

WHEREAS an Act was passed in the session of Parliament holden in the thirty-first and thirty-second years of the reign of Her present Majesty, intituled "An Act to relieve "certain officers employed in the collection and management "of Her Majesty's revenues from any legal disability to vote "at the election of members to serve in Parliament:" 31 & 32 Vict. c. 73.

And whereas the provisions of the said Act do not apply to the Collector-General of Rates in the city of Dublin, and to the officers and servants of the said collector-general appointed by virtue of an Act passed in the session of Parliament holden in the twelfth and thirteenth years of the reign of Her present Majesty, intituled "An Act to provide for the collection of "rates in the city of Dublin:" 12 & 13 Vict c. 91.

And whereas the said collector-general, and the officers and servants employed for the purposes of the said last-recited Act are prohibited by the twenty-fourth section of the said Act from voting at any election of a member or members to serve in Parliament for the city of Dublin:

And whereas it is expedient that such prohibition should be repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. From and after the passing of this Act, it shall be lawful for the Collector-General of Rates in the city of Dublin, and for the clerks, officers, and servants of the said collector-general, appointed under the provisions of the said "Act to provide for "the collection of rates in the city of Dublin," when duly registered, to vote at any election of a member or members to serve in Parliament for the city of Dublin without incurring any penalty or forfeiture, anything contained in the said Act to the contrary notwithstanding. Collector-General of Rates, and persons employed in his office, may vote at parliamentary elections for the city of Dublin.

CHAP. 12.

An Act to repeal certain Duties of Customs in the Isle of Man. [12th May 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Customs (Isle of Man) Act, 1870." Short title.

Repeal of duties of customs on articles herein named.

2. After the passing of this Act, the duties of customs chargeable upon the articles herein-after mentioned on their being imported or brought into the Isle of Man shall cease and determine, and so much of the Act of the session of the eighteenth and nineteenth years of the reign of Her present Majesty, chapter ninety-seven, as imposed the same, is hereby repealed:

Corn, viz., wheat, barley, bear or bigg, oats, rye, peas, beans, buckwheat, maize or Indian corn, wheat meal and flour, barley meal, oat meal, rye meal and flour, pea meal, bean meal, buckwheat meal, and maize or Indian corn meal.

CHAP. 13.

An Act to amend the Law relating to the Surveys of Great Britain, Ireland, and the Isle of Man.

[12th May 1870.]

6 Geo. 4. c. 99. 17 & 18 Vict. c. 17.

WHEREAS by an Act of the sixth year of King George the Fourth, chapter ninety-nine, intituled "An Act to "repeal an Act of the last session of Parliament relative "to the forming tables of manors, parishes, and townlands "in Ireland, and to make provision for ascertaining the "boundaries of the same," and by an Act of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter seventeen, intituled "An Act to make further pro- "vision for defining the boundaries of counties, baronies, half "baronies, parishes, townlands, and other divisions and "denominations of land in Ireland for public purposes," (which Acts are in this Act referred to as the Survey (Ireland) Acts), certain powers for the purpose of making and carrying on any survey authorised by those Acts or by the order of the Master General and Board of Ordnance were given to the Master General and Board of Ordnance, and to officers and other persons appointed by or acting under the orders of the Master General and Board of Ordnance:

18 & 19 Vict. c. 117.

And whereas all the powers and authorities of the principal officers of Her Majesty's Ordnance were, by an Act of the session of the eighteenth and nineteenth years of the reign of Her present Majesty, chapter one hundred and seventeen, intituled "An Act for transferring to one of Her Majesty's "Principal Secretaries of State the powers and estates vested "in the principal officers of the Ordnance," transferred to Her Majesty's Secretary of State for the War Department:

4 & 5 Vict. c. 30.

And whereas by the Act of the session of the fourth and fifth years of the reign of Her present Majesty, chapter thirty, intituled "An Act to authorise and facilitate the completion "of a survey of Great Britain, Berwick-upon-Tweed, and "the Isle of Man," (in this Act referred to as the Survey (Great Britain) Act,) certain powers for the purpose of making such survey were given to the Master General and

Board of Ordnance and to officers and other persons appointed by or acting under the orders of the Master General and Board of Ordnance:

And whereas the powers given by the last-mentioned Act to the Master General and Board of Ordnance having been continued by subsequent Acts, were by an Act of the session of the nineteenth and twentieth years of the reign of Her present Majesty, chapter sixty-one, intituled "An Act to continue an Act for the survey of Great Britain, Berwick-upon-Tweed, and the Isle of Man," further continued until the thirty-first day of December one thousand eight hundred and sixty-one, and were by the same Act transferred to Her Majesty's Principal Secretary of State for the War Department: 19 & 20 Vict. c. 61.

And whereas the said powers have been since continued by divers subsequent Acts:

And whereas it is expedient to place the said surveys under the superintendence of the Commissioners for the time being of Her Majesty's Works and Public Buildings:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Survey Act, 1870.

Construction of Act.

2. This Act shall be construed as one, so far as it relates to Ireland, with the Survey (Ireland) Acts, and so far as it relates to Great Britain and the Isle of Man with the Survey (Great Britain) Act, and the Survey (Ireland) Acts, together with this Act, may be cited together as the Survey (Ireland) Acts, 1825 to 1870, and the Survey (Great Britain) Act, together with this Act, may be cited as the Survey (Great Britain) Acts, 1841 and 1870.

Transfer of powers to Commissioners of Works.

3. All the powers, authorities, and things which under the Survey (Ireland) Acts, or the Survey (Great Britain) Act are, or, but for the transfer to Her Majesty's Principal Secretary of State for the War Department would be, vested in or capable of being exercised and done by the Master General and Board of Ordnance shall, after the passing of this Act, be vested in and capable of being exercised and done by the Commissioners of Her Majesty's Works and Public Buildings, and not by the said Secretary of State, and those Acts shall be construed as if the Commissioners of Her Majesty's Works and Public Buildings were substituted throughout for the Master General and Board of Ordnance.

Every officer and other person who has been appointed before the passing of this Act by the Master General and Board of Ordnance, or Her Majesty's Principal Secretary of State for the War Department, for the purpose of the said Acts or any of them, shall be deemed to have been appointed by the Commissioners of Her Majesty's Works and Public Buildings.

Acts in schedule repealed.

4. The Acts mentioned in the schedule to this Act are hereby repealed, without prejudice to anything already done or suffered.

Continuance of Act.

5. This Act, so far as it relates to Great Britain and the Isle of Man, shall not (except as regards the repeal, which is perpetual,) continue in force for any longer time than the Survey (Great Britain) Act.

SCHEDULE.

Year and Chapter.	Title.
45 Geo. 3. c. 109. -	An Act to amend so much of an Act for granting to His Majesty several sums of money for defraying the charge of certain permanent services in Ireland as relates to the military survey of Ireland.
19 & 20 Vict. c. 61. -	An Act to continue an Act for the survey of Great Britain, Berwick-upon-Tweed, and the Isle of Man.

CHAP. 14.

An Act to amend the Law relating to the legal condition of Aliens and British Subjects.

[12th May 1870.]

WHEREAS it is expedient to amend the law relating to the legal condition of aliens and British subjects:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Naturalization Act, 1870."

Status of Aliens in the United Kingdom.

Capacity of an alien as to property.

2. Real and personal property of every description may be taken, acquired, held, and disposed of by an alien in the same manner in all respects as by a natural-born British subject; and a title to real and personal property of every description may be derived through, from, or in succession to an alien, in the same manner in all respects as through, from, or in succession to a natural-born British subject: Provided,—

(1.) That this section shall not confer any right on an alien to hold real property situate out of the United Kingdom, and shall not qualify an alien for any office or for any municipal, parliamentary, or other franchise:

(2.) That this section shall not entitle an alien to any right or privilege as a British subject, except such rights and privileges in respect of property as are hereby expressly given to him:

(3.) That this section shall not affect any estate or interest in real or personal property to which any person has or may become entitled, either mediately or immediately, in possession or expectancy, in pursuance of any disposition made before the passing of this Act, or in pursuance of any devolution by law on the death of any person dying before the passing of this Act.

Power of naturalized aliens to divest themselves of their status in certain cases.

3. Where Her Majesty has entered into a convention with any foreign state to the effect that the subjects or citizens of that state who have been naturalized as British subjects may divest themselves of their status as such subjects, it shall be lawful for Her Majesty, by Order in Council, to declare that such convention has been entered into by Her Majesty; and from and after the date of such Order in Council, any person being originally a subject or citizen of the state referred to in such Order, who has been naturalized as a British subject, may, within such limit of time as may be provided in the convention, make a declaration of alienage, and from and after the date of his so making such declaration such person shall be regarded as an alien, and as a subject of the state to which he originally belonged as aforesaid.

A declaration of alienage may be made as follows; that is to say,—If the declarant be in the United Kingdom in the presence of any justice of the peace, if elsewhere in Her Majesty's dominions in the presence of any judge of any court of civil or criminal jurisdiction, of any justice of the peace, or of any other officer for the time being authorised by law in the place in which the declarant is to administer an oath for any judicial or other legal purpose. If out of Her Majesty's dominions in the presence of any officer in the diplomatic or consular service of Her Majesty.

How British-born subject may cease to be such.

4. Any person who by reason of his having been born within the dominions of Her Majesty is a natural-born subject, but who also at the time of his birth became under the law of any foreign state a subject of such state, and is still such subject, may, if of full age and not under any disability, make a declaration of alienage in manner aforesaid, and from and after the making of such declaration of alienage such person shall cease to be a British subject. Any person who is born out of Her Majesty's dominions of a father being a British subject may, if of full age, and not under any disability, make a declaration of alienage in manner aforesaid, and from and after the making of such declaration shall cease to be a British subject.

Alien not entitled to jury

5. From and after the passing of this Act, an alien shall not be entitled to be tried by a jury de medietate linguæ,

de medietate linguæ.

but shall be triable in the same manner as if he were a natural-born subject.

Expatriation.

Capacity of British subject to renounce allegiance to Her Majesty.

6. Any British subject who has at any time before, or may at any time after the passing of this Act, when in any foreign state and not under any disability voluntarily become naturalized in such state, shall from and after the time of his so having become naturalized in such foreign state, be deemed to have ceased to be a British subject and be regarded as an alien; Provided,—

(1.) That where any British subject has before the passing of this Act voluntarily become naturalized in a foreign state and yet is desirous of remaining a British subject, he may, at any time within two years after the passing of this Act, make a declaration that he is desirous of remaining a British subject, and upon such declaration herein-after referred to as a declaration of British nationality being made, and upon his taking the oath of allegiance, the declarant shall be deemed to be and to have been continually a British subject; with this qualification, that he shall not, when within the limits of the foreign state in which he has been naturalized, be deemed to be a British subject, unless he has ceased to be a subject of that state in pursuance of the laws thereof, or in pursuance of a treaty to that effect:

(2.) A declaration of British nationality may be made, and the oath of allegiance be taken as follows; that is to say,—if the declarant be in the United Kingdom in the presence of a justice of the peace; if elsewhere in Her Majesty's dominions in the presence of any judge of any court of civil or criminal jurisdiction, of any justice of the peace, or of any other officer for the time being authorised by law in the place in which the declarant is to administer an oath for any judicial or other legal purpose. If out of Her Majesty's dominions in the presence of any officer in the diplomatic or consular service of Her Majesty.

Naturalization and resumption of British Nationality.

Certificate of naturalization.

7. An alien who, within such limited time before making the application herein-after mentioned as may be allowed by one of Her Majesty's Principal Secretaries of State, either by general order or on any special occasion, has resided in the United Kingdom for a term of not less than five years, or has been in the service of the Crown for a term of not less than five years, and intends, when naturalized, either to reside in the United Kingdom, or to serve under the Crown, may

apply to one of Her Majesty's Principal Secretaries of State for a certificate of naturalization.

The applicant shall adduce in support of his application such evidence of his residence or service, and intention to reside or serve, as such Secretary of State may require. The said Secretary of State, if satisfied with the evidence adduced, shall take the case of the applicant into consideration, and may, with or without assigning any reason, give or withhold a certificate as he thinks most conducive to the public good, and no appeal shall lie from his decision, but such certificate shall not take effect until the applicant has taken the oath of allegiance.

An alien to whom a certificate of naturalization is granted shall in the United Kingdom be entitled to all political and other rights, powers, and privileges, and be subject to all obligations, to which a natural-born British subject is entitled or subject in the United Kingdom, with this qualification, that he shall not, when within the limits of the foreign state of which he was a subject previously to obtaining his certificate of naturalization, be deemed to be a British subject unless he has ceased to be a subject of that state in pursuance of the laws thereof, or in pursuance of a treaty to that effect.

The said Secretary of State may in manner aforesaid grant a special certificate of naturalization to any person with respect to whose nationality as a British subject a doubt exists, and he may specify in such certificate that the grant thereof is made for the purpose of quieting doubts as to the right of such person to be a British subject, and the grant of such special certificate shall not be deemed to be any admission that the person to whom it was granted was not previously a British subject.

An alien who has been naturalized previously to the passing of this Act may apply to the Secretary of State for a certificate of naturalization under this Act, and it shall be lawful for the said Secretary of State to grant such certificate to such naturalized alien upon the same terms and subject to the same conditions in and upon which such certificate might have been granted if such alien had not been previously naturalized in the United Kingdom.

Certificate of re-admission to British nationality.

8. A natural-born British subject who has become an alien in pursuance of this Act, and is in this Act referred to as a statutory alien, may, on performing the same conditions and adducing the same evidence as is required in the case of an alien applying for a certificate of nationality, apply to one of Her Majesty's Principal Secretaries of State for a certificate herein-after referred to as a certificate of re-admission to British nationality, re-admitting him to the status of a British subject. The said Secretary of State shall have the same discretion as to the giving or withholding of the certificate as in the case of a certificate of naturalization, and an oath of

allegiance shall in like manner be required previously to the issuing of the certificate.

A statutory alien to whom a certificate of re-admission to British nationality has been granted shall, from the date of the certificate of re-admission, but not in respect of any previous transaction, resume his position as a British subject; with this qualification, that within the limits of the foreign state of which he became a subject he shall not be deemed to be a British subject unless he has ceased to be a subject of that foreign state according to the laws thereof, or in pursuance of a treaty to that effect.

The jurisdiction by this Act conferred on the Secretary of State in the United Kingdom in respect of the grant of a certificate of re-admission to British nationality, in the case of any statutory alien being in any British possession, may be exercised by the governor of such possession; and residence in such possession shall, in the case of such person, be deemed equivalent to residence in the United Kingdom.

Form of oath of allegiance.

9. The oath in this Act referred to as the oath of allegiance shall be in the form following; that is to say,

"I do swear that I will be faithful and "bear true allegiance to Her Majesty Queen Victoria, her "heirs and successors, according to law. So help me GOD."

National status of married women and infant children.

National status of married women and infant children.

10. The following enactments shall be made with respect to the national status of women and children:

(1.) A married woman shall be deemed to be a subject of the state of which her husband is for the time being a subject:

(2.) A widow being a natural-born British subject, who has become an alien by or in consequence of her marriage, shall be deemed to be a statutory alien, and may as such at any time during widowhood obtain a certificate of re-admission to British nationality in manner provided by this Act:

(3.) Where the father being a British subject, or the mother being a British subject and a widow, becomes an alien in pursuance of this Act, every child of such father or mother who during infancy has become resident in the country where the father or mother is naturalized, and has, according to the laws of such country, become naturalized therein, shall be deemed to be a subject of the state of which the father or mother has become a subject, and not a British subject:

(4.) Where the father, or the mother being a widow, has obtained a certificate of re-admission to British nationality, every child of such father or mother who during infancy has become resident in the British dominions with such father or mother, shall

be deemed to have resumed the position of a British subject to all intents:

(5.) Where the father, or the mother being a widow, has obtained a certificate of naturalization in the United Kingdom, every child of such father or mother who during infancy has become resident with such father or mother in any part of the United Kingdom, shall be deemed to be a naturalized British subject.

Supplemental Provisions.

Regulations as to registration.

11. One of Her Majesty's Principal Secretaries of State may by regulation provide for the following matters:—

(1.) The form and registration of declarations of British nationality:

(2.) The form and registration of certificates of naturalization in the United Kingdom:

(3.) The form and registration of certificates of re-admission to British nationality:

(4.) The form and registration of declarations of alienage:

(5.) The registration by officers in the diplomatic or consular service of Her Majesty of the births and deaths of British subjects who may be born or die out of Her Majesty's dominions, and of the marriages of persons married at any of Her Majesty's embassies or legations:

(6.) The transmission to the United Kingdom for the purpose of registration or safe keeping, or of being produced as evidence of any declarations or certificates made in pursuance of this Act out of the United Kingdom, or of any copies of such declarations or certificates, also of copies of entries contained in any register kept out of the United Kingdom in pursuance of or for the purpose of carrying into effect the provisions of this Act:

(7.) With the consent of the Treasury the imposition and application of fees in respect of any registration authorised to be made by this Act, and in respect of the making any declaration or the grant of any certificate authorised to be made or granted by this Act.

The said Secretary of State, by a further regulation, may repeal, alter, or add to any regulation previously made by him in pursuance of this section.

Any regulation made by the said Secretary of State in pursuance of this section shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if it had been enacted in this Act, but shall not so far as respects the imposition of fees be in force in any British possession, and shall not, so far as respects any other matter, be in force in any British possession in which any Act or ordinance to the contrary of or inconsistent with any such direction may for the time being be in force.

Regulations as to evidence.

12. The following regulations shall be made with respect to evidence under this Act:—

(1.) Any declaration authorised to be made under this Act may be proved in any legal proceeding by the production of the original declaration, or of any copy thereof certified to be a true copy by one of Her Majesty's Principal Secretaries of State, or by any person authorised by regulations of one of Her Majesty's Principal Secretaries of State to give certified copies of such declaration, and the production of such declaration or copy shall be evidence of the person therein named as declarant having made the same at the date in the said declaration mentioned:

(2.) A certificate of naturalization may be proved in any legal proceeding by the production of the original certificate, or of any copy thereof certified to be a true copy by one of Her Majesty's Principal Secretaries of State, or by any person authorised by regulations of one of Her Majesty's Principal Secretaries of State to give certified copies of such certificate:

(3.) A certificate of re-admission to British nationality may be proved in any legal proceeding by the production of the original certificate, or of any copy thereof certified to be a true copy by one of Her Majesty's Principal Secretaries of State, or by any person authorised by regulations of one of Her Majesty's Principal Secretaries of State to give certified copies of such certificate:

(4.) Entries in any register authorised to be made in pursuance of this Act shall be proved by such copies and certified in such manner as may be directed by one of Her Majesty's Principal Secretaries of State, and the copies of such entries shall be evidence of any matters by this Act or by any regulation of the said Secretary of State authorised to be inserted in the register:

(5.) The Documentary Evidence Act, 1868, shall apply to any regulation made by a Secretary of State, in pursuance of or for the purpose of carrying into effect any of the provisions of this Act.

Miscellaneous.

Saving of letters of denization.

13. Nothing in this Act contained shall affect the grant of letters of denization by Her Majesty.

Saving as to British ships.

14. Nothing in this Act contained shall qualify an alien to be the owner of a British ship.

Saving of allegiance prior to expatriation.

15. Where any British subject has in pursuance of this Act become an alien, he shall not thereby be discharged from any liability in respect of any acts done before the date of his so becoming an alien.

16. All laws, statutes, and ordinances which may be duly made by the legislature of any British possession for imparting to any person the privileges, or any of the privileges, of naturalization, to be enjoyed by such person within the limits of such possession, shall within such limits have the authority of law, but shall be subject to be confirmed or disallowed by Her Majesty in the same manner, and subject to the same rules in and subject to which Her Majesty has power to confirm or disallow any other laws, statutes, or ordinances in that possession. Power of colonies to legislate with respect to naturalization.

17. In this Act, if not inconsistent with the context or subject-matter thereof,— Definition of terms.

"Disability" shall mean the status of being an infant, lunatic, idiot, or married woman:

"British possession" shall mean any colony, plantation, island, territory, or settlement within Her Majesty's dominions, and not within the United Kingdom, and all territories and places under one legislature are deemed to be one British possession for the purposes of this Act:

"The Governor of any British possession" shall include any person exercising the chief authority in such possession:

"Officer in the Diplomatic Service of Her Majesty" shall mean any Ambassador, Minister or Chargé d'Affaires, or Secretary of Legation, or any person appointed by such Ambassador, Minister, Chargé d'Affaires, or Secretary of Legation to execute any duties imposed by this Act on an officer in the Diplomatic Service of Her Majesty:

"Officer in the Consular Service of Her Majesty" shall mean and include Consul-General, Consul, Vice-Consul, and Consular Agent, and any person for the time being discharging the duties of Consul-General, Consul, Vice-Consul, and Consular Agent.

Repeal of Acts mentioned in Schedule.

18. The several Acts set forth in the first and second parts of the schedule annexed hereto shall be wholly repealed, and the Acts set forth in the third part of the said schedule shall be repealed to the extent therein mentioned; provided that the repeal enacted in this Act shall not affect— Repeal of Acts.

(1.) Any right acquired or thing done before the passing of this Act:

(2.) Any liability accruing before the passing of this Act:

(3.) Any penalty, forfeiture, or other punishment incurred or to be incurred in respect of any offence committed before the passing of this Act:

(4.) The institution of any investigation or legal proceeding or any other remedy for ascertaining or enforcing any such liability, penalty, forfeiture, or punishment as aforesaid.

SCHEDULE.

NOTE.—Reference is made to the repeal of the "whole Act" where portions have been repealed before, in order to preclude henceforth the necessity of looking back to previous Acts.

This Schedule, so far as respects Acts prior to the reign of George the Second, other than Acts of the Irish Parliament, refers to the edition prepared under the direction of the Record Commission, intituled "The Statutes of the Realm; printed by Command of His Majesty "King George the Third, in pursuance of an Address of the House of "Commons of Great Britain. From original Records and authentic "Manuscripts."

PART I.

ACTS WHOLLY REPEALED, OTHER THAN ACTS OF THE IRISH PARLIAMENT.

Date.	Title.
7 Jas. 1. c. 2.	An Act that all such as are to be naturalized or restored in blood shall first receive the sacrament of the Lord's Supper, and the oath of allegiance, and the oath of supremacy.
11 Will. 3. c. 6. (*a.*)	An Act to enable His Majesty's natural-born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding their father or mother were aliens.
13 Geo. 2. c 7.	An Act for naturalizing such foreign Protestants and others therein mentioned, as are settled or shall settle in any of His Majesty's colonies in America.
20 Geo. 2. c. 44.	An Act to extend the provisions of an Act made in the thirteenth year of His present Majesty's reign, intituled "An Act for "naturalizing foreign Protestants and "others therein mentioned, as are settled "or shall settle in any of His Majesty's "colonies in America, to other foreign "Protestants who conscientiously scruple "the taking of an oath."
13 Geo. 3. c. 25.	An Act to explain two Acts of Parliament, one of the thirteenth year of the reign of His late Majesty, "for naturalizing such "foreign Protestants and others as are "settled or shall settle in any of His "Majesty's colonies in America," and the other of the second year of the reign of His present Majesty, "for naturalizing "such foreign Protestants as have served "or shall serve as officers or soldiers in "His Majesty's Royal American regiment, "or as engineers in America."
14 Geo. 3. c. 84.	An Act to prevent certain inconveniences that may happen by bills of naturalization.

(*a.*) 11 & 12 Wm. 3. (Ruff.)

Date.	Title.
16 Geo. 3. c. 52. -	An Act to declare His Majesty's natural-born subjects inheritable to the estates of their ancestors, whether lineal or collateral, in that part of Great Britain called Scotland, notwithstanding their father or mother were aliens.
6 Geo. 4. c. 67. -	An Act to alter and amend an Act passed in the seventh year of the reign of His Majesty King James the First, intituled "An Act that all such as are to be "naturalized or restored in blood shall "first receive the sacrament of the Lord's "Supper and the oath of allegiance and "the oath of supremacy."
7 & 8 Vict. c. 66. -	An Act to amend the laws relating to aliens.
10 & 11 Vict. c. 83. -	An Act for the naturalization of aliens.

PART II.

ACTS OF THE IRISH PARLIAMENT WHOLLY REPEALED.

Date.	Title.
14 & 15 Chas. 2. c. 13.	An Act for encouraging Protestant strangers and other to inhabit and plant in the Kingdom of Ireland.
2 Anne, c. 14. -	An Act for naturalizing of all Protestant strangers in this kingdom.
19 & 20 Geo. 3. c. 29.	An Act for naturalizing such foreign merchants, traders, artificers, artizans, manufacturers, workmen, seamen, farmers, and others as shall settle in this kingdom.
23 & 24 Geo. 3. c. 38.	An Act for extending the provisions of an Act passed in this kingdom in the nineteenth and twentieth years of His Majesty's reign, intituled "An Act for naturalizing "such foreign merchants, traders, artificers, "artizans, manufacturers, workmen, sea-"men, farmers, and others as shall settle "in this kingdom."
36 Geo. 3. c. 48. -	An Act to explain and amend an Act, intituled "An Act for naturalizing such "foreign merchants, traders, artificers, "artizans, manufacturers, workmen, sea-"men, farmers, and others who shall "settle in this kingdom."

PART III.

ACTS PARTIALLY REPEALED.

		Extent of repeal.
4 Geo. 1. c. 9. (Act of Irish Parliament.) -	An Act for reviving, continuing, and amending several statutes made in this kingdom heretofore temporary.	So far as it makes perpetual the Act of 2 Anne, c. 14.

		Extent of repeal.
6 Geo. 4. c. 50. -	An Act for consolidating and amending the laws relative to Jurors and Juries.	The whole of sect. 47.
3 & 4 Will. 4. c. 91. -	An Act consolidating and amending the laws relating to Jurors and Juries in Ireland.	The whole of sect. 37.

CHAP. 15.

An Act to transfer to the Commissioners of Her Majesty's Works and Public Buildings the property in and control over the buildings and property of the County Courts in England, and for other purposes relating thereto. [20th June 1870.]

WHEREAS it is expedient to transfer to the Commissioners of Her Majesty's Works and Public Buildings the complete control over the buildings and property of the County Courts in England, and to vest in the said Commissioners the buildings and property now vested in the treasurers of the said courts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The County Court (Buildings) Act, 1870."

Definition of "Commissioners of Works."

2. In this Act the term "the Commissioners of Works" means the Commissioners of Her Majesty's Works and Public Buildings, as incorporated by the Act of the session of the fifteenth and sixteenth years of the reign of Her present Majesty, chapter twenty-eight, intituled "An Act to amend "an Act of the fourteenth and fifteenth years of Her present "Majesty, for the direction of Public Works and Buildings, "and to vest the buildings appropriated for the accommo- "dation of the Supreme Courts of Justice in Edinburgh "in the Commissioners of Her Majesty's Works and Public "Buildings."

Transfer of property from treasurers to Commissioners.

3. All property, real and personal, (other than money and securities for money, books, papers, and records,) belonging to any county court, of or to which the treasurer of any county court or any other person is seised, possessed, or entitled in trust for a county court, under the sections of the Acts mentioned in the schedule to this Act, shall, on the passing of this Act, pass to and be vested in the Commissioners of Works, for the same estate and interest, and subject to the same covenants, conditions, agreements, and liabilities, for and subject to which the same were held by the said treasurer or other person; and such treasurer or other person shall

be discharged from such covenants, conditions, agreements, and liabilities.

As to providing courts, offices, &c.

4. The Commissioners of Works, with the approval of the Commissioners of Her Majesty's Treasury, shall from time to time build, purchase, hire, or otherwise provide such court-house, offices, and buildings as may be necessary for carrying on the business of any county court, and cause the same to be furnished, cleaned, lighted, and warmed, and give such directions to the registrar of each court with regard to the hiring and dismissing of servants as shall seem fit.

For the purposes of any such purchase, the Lands Clauses Consolidation Act, 1845, and the Acts amending the same, (except so much thereof as relates to the purchase of land otherwise than by agreement,) are hereby incorporated with this Act, and in construing those Acts for the purposes of this Act the special Act shall be construed to mean this Act, and the promoters of the undertaking shall be construed to be the Commissioners of Works.

Provisions of Acts in schedule repealed.

5. The Acts mentioned in the schedule to this Act are hereby repealed, to the extent in the third column of the said schedule mentioned, without prejudice to anything already done or suffered or any right already acquired or accrued.

SCHEDULE.

Year and Chapter.	Title.	Extent of Repeal.
9 & 10 Vict. c. 95. -	The County Courts Act, 1846.	Sections forty-eight and fifty to fifty-five, both inclusive.
29 & 30 Vict. c. 14. -	The County Courts Act, 1866.	Section eight, except so far as it relates to money and securities for money, and section nine.
30 & 31 Vict. c. 142.	The County Courts Act, 1867.	Section eighteen.

CHAP. 16.

An Act to define the boundary between the counties of Inverness and Elgin or Moray, in the district of Strathspey; and for other purposes.

[20th June 1870.]

WHEREAS doubts exist with respect to the boundary between the county of Inverness and the county of Elgin or Moray (herein-after called the county of Elgin), in the district of Strathspey:

And whereas certain parts of the county of Elgin, and certain parts of the county of Inverness, situated in the

same district, and comprehending the parishes, or portions of the parishes, of Duthil and Abernethy, and of the united parish of Cromdale and Inverallan, are wholly or partially detached from their respective counties, and it will be for public advantage that the boundary between those counties in the district of Strathspey should be defined, and that the detached portions of the county of Elgin should be annexed to and form part of the county of Inverness, and that the detached portions of the county of Inverness should be annexed to and form part of the county of Elgin:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Inverness and Elgin County Boundaries Act, 1870."

Portions of counties described in schedule A. transferred to the county of Inverness.

2. Those parts and portions of the counties of Elgin and Inverness described in the schedule A. annexed to this Act, whether the same shall heretofore have been locally situated within the county of Elgin or the county of Inverness, shall, from and after the fifteenth day of May one thousand eight hundred and seventy, be held to be, and be, for all purposes whatsoever, except in so far as herein-after provided, part of the county, sheriffdom, and commissariot of Inverness.

Portions of counties described in schedule B. transferred to county of Elgin.

3. Those parts and portions of the counties of Inverness and Elgin described in the schedule B. annexed to this Act, whether the same shall heretofore have been locally situated within the county of Inverness or the county of Elgin, shall, from and after the fifteenth day of May one thousand eight hundred and seventy, be held to be, and be, for all purposes whatsoever, except in so far as herein-after provided, part of the county and sheriffdom of Elgin and commissariot of Elgin and Nairn.

Certain roads and bridges transferred to Commissioners of Supply of county of Inverness.

4. From and after the fifteenth day of May one thousand eight hundred and seventy, the roads and bridges presently maintained by the Elgin County Road Trustees under "The Elgin and Nairn Roads and Bridges Act, 1863," upon or within the district described in the schedule A. annexed to this Act, shall form part of the roads and bridges under the management and control of the Commissioners of Supply of the county of Inverness, and the assessment authorised to be levied by "The Highland Roads and Bridges Act, 1862," shall apply to and may be levied by the Commissioners of Supply of the county of Inverness upon and within the said district in like manner and to the same effect as if that district had formed part of the county of Inverness at the passing of the last-mentioned Act.

Certain roads and bridges transferred to Elgin County Road Trustees.

5. From and after the fifteenth day of May one thousand eight hundred and seventy the roads and bridges upon or within the district described in the schedule B. annexed to this Act shall form part of the roads and bridges under the

management and control of the Elgin County Road Trustees acting under "The Elgin and Nairn Roads and Bridges Act, 1863," and the assessments authorised to be levied by that Act shall apply to and may be levied by the said Trustees upon and within the said district, in like manner and to the same effect as if that district had formed part of the county of Elgin at the passing of that Act.

As to contracts for maintenance of roads.

6. From and after the fifteenth day of May one thousand eight hundred and seventy, all contracts for the maintenance and repair of the roads and bridges throughout the district described in the schedule A. annexed to this Act shall cease and determine as regards the Elgin County Road Trustees, or any person or persons acting on their behalf, except in regard to any claims due and payable by the trustees prior to the said fifteenth day of May one thousand eight hundred and seventy; and such contracts shall thereafter be binding on and may be enforced by and against the Commissioners of Supply of the county of Inverness, acting under "The Highland Roads and Bridges Act, 1862," as fully and effectually as the same would have been binding on or might have been enforced by and against the Elgin County Road Trustees; and in like manner, from and after the said fifteenth day of May one thousand eight hundred and seventy, all contracts for the maintenance and repair of the roads and bridges throughout the district described in the schedule B. annexed to this Act shall cease and determine as regards the Commissioners of Supply of the county of Inverness, or the District Road Trustees of that county, or any person or persons acting on their behalf, except in regard to any claims due and payable by those Commissioners, or the District Trustees, prior to the said fifteenth day of May one thousand eight hundred and seventy, and such contracts shall thereafter be binding on and may be enforced by and against the Elgin County Road Trustees as fully and effectually as the same would have been binding on or might have been enforced by and against the said Commissioners or District Road Trustees.

Reserving rights of ministers with respect to stipends.

7. Nothing herein contained shall affect the right of the present ministers of the parishes of Cromdale, Abernethy, and Duthil, so long as they shall continue ministers of those parishes respectively, to be paid their stipends, according to the fiars prices of the county by which they are entitled to be paid at the date of the passing of this Act.

Reserving rights of schoolmasters to Dick Bequest.

8. Nothing herein contained shall affect the right of the present or future schoolmasters of the parish schools of the parishes of Duthil and Abernethy, in the county of Elgin, to participate in the benefits of the bequest of the late James Dick, esquire, of Finsbury Square, London, commonly called the Dick Bequest; but the schoolmasters of those parishes shall be entitled to all the benefits of the said bequest in the same way and manner as if the parishes of Duthil and

Abernethy had continued to be locally situated in the county of Elgin.

Reserving rights of inhabitants of Duthil and Abernethy as regards Elgin Institution.

9. Nothing herein contained shall affect the right of the inhabitants of the parishes of Duthil and Abernethy to be admitted into and to participate in the benefits of "The "Elgin Institution for the Support of Old Age and Educa- "tion of Youth," established under the will of the late Major-General Andrew Anderson, of the late Honourable East India Company's service; but the inhabitants of those parishes shall be entitled to all the benefits of that institution in the same way and manner as if those parishes had continued to be locally situate in the county of Elgin.

Court-house at Grantown to be joint property of two counties.

10. The court-house erected in the village of Grantown, in virtue of the provisions of "The Sheriff Court-Houses (Scot- "land) Act, 1860," shall, from and after the passing of this Act, be vested in and become the property of the Commissioners of Supply of the county of Inverness and the Commissioners of Supply of the county of Elgin, jointly, for the joint use and benefit of those counties, excepting the police station, or the rooms in that court-house set apart for the use of a police constable, with the cells thereto attached, which shall be vested in and become the property of the Commissioners of Supply of the county of Elgin.

Payment of proportion of expense of court-house by county of Elgin and county of Inverness.

11. The Commissioners of Supply of the county of Elgin shall, on or before the fifteenth day of June one thousand eight hundred and seventy, pay to the Commissioners of Supply of the county of Inverness the sum of three hundred and seventy-one pounds sterling towards the expenses of erecting the said court-house, disbursed by the Commissioners of Supply of the county of Inverness, and the further sum of five hundred and two pounds sterling, being the whole expense of the said police station, or rooms and cells, disbursed by them, with interest at the rate of five pounds per centum per annum on those sums respectively from the fifteenth day of May one thousand eight hundred and seventy, till paid.

Provision for raising money by county of Elgin.

12. For the purpose of raising the money necessary to pay for the said court-house to the Commissioners of Supply of the county of Inverness, the Commissioners of Supply of the county of Elgin may raise and levy by assessment, in the manner provided by "The Sheriff Court-Houses (Scotland) Act, 1860," a sum not exceeding four hundred and twenty pounds sterling; and for the purpose of raising the money necessary to pay for the said police station, or rooms and cells, they may raise and levy by assessment, in the manner provided by the Act twenty and twenty-one Victoria, chapter seventy-two, the sum of five hundred and fifty pounds sterling; and for the purpose of raising such sums of money the provisions of "The Sheriff Court-Houses (Scotland) Act, 1860," and the Act twenty and twenty-one Victoria, chapter seventy-two, relative to assessments, and the levying and recovering of the same, are incorporated with and form part of this Act.

Sheriff of Inverness may hold courts under Small Debt Act within village of Grantown.

13. And whereas there is no place in the upper district of the county of Inverness where circuit courts can conveniently be held, except the village of Grantown, which is situate in the district by this Act annexed to the county of Elgin: Therefore, notwithstanding the provisions of this Act, the sheriff of the county of Inverness, or his substitutes, may respectively grant warrants and hold courts for the trial of all causes under the Act one Victoria, chapter forty-one, as extended by the Act sixteen and seventeen Victoria, chapter eighty, and also under the Act thirty and thirty-one Victoria, chapter ninety-six, and also under the Act twenty-seven and twenty-eight Victoria, chapter fifty-three, and he or they may respectively pronounce judgment therein, and act otherwise with respect thereto, within the said village of Grantown, in the same way, and to the same effect in all respects, as if such courts were held, and warrants granted, and judgments pronounced, and acts done within the county of Inverness; and the sheriff-clerk and officers of the county of Inverness may issue summonses and other writs and perform the other duties authorised by the last-recited Acts within the village of Grantown in like manner as within the county of Inverness.

Justices of the peace for Inverness may hold courts within the village of Grantown.

14. Notwithstanding the provisions of this Act, the justices of the peace of the county of Inverness may grant warrants, and hold courts for the trial of all causes, and for the disposal of all matters falling under their jurisdiction, and they may pronounce judgment therein, and act otherwise with respect thereto, within the said village of Grantown, in the same way and to the same effect in all respects as if such courts were held, and warrants granted, and judgments pronounced, and acts done within the county of Inverness; and the clerk of the peace and officers of the county of Inverness may issue summonses and other writs, and perform all the other duties pertaining to their offices, within the village of Grantown in like manner as within the county of Inverness.

Saving assessments, &c. already imposed.

15. Nothing herein contained shall affect any assessment due to or imposed by the Commissioners of Supply of the county of Inverness, or of the county of Elgin, or the Elgin County Road Trustees respectively, previous to the passing of this Act, but the same shall be paid and may be recovered in the same manner and to the same effect as if this Act had not been passed; and nothing herein contained shall affect any action or proceeding instituted, raised, or depending before any court, civil or criminal, previous to the passing of this Act, and the same may be proceeded with, determined, and followed forth by diligence or otherwise as if this Act had not been passed.

Expenses of Act.

16. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Commissioners of Supply of the county of Inverness, and the Commissioners of Supply of the county of Elgin, in equal moieties, out of

the county general assessments levied by them respectively, under the provisions of "The County General Assessment (Scotland), Act, 1868."

SCHEDULE A.

Description of District transferred to County of Inverness.

The whole parish of Duthil. Those parts of the united parish of Cromdale and Inverallan on the north side of the River Spey lying to the west and south of the following line, viz.:—From the mouth of the River Dulnan, where it enters the River Spey, up the River Dulnan to the point where the Burn called the Muckrach or Findlarigg Burn enters it; and thence up the Muckrach or Findlarigg Burn to a point thereon where a stone marked "County Boundary" has been placed five hundred and seventy-two yards or thereby, measuring in a straight line from the well called Fuaranahanish Well, lying on the south side of the hill called Beinmore; and from the last-mentioned point on the said Muckrach or Findlarigg Burn in a straight line to the said well, which is a point on the present boundary between the counties of Inverness and Elgin or Moray. The whole parish of Abernethy as well those parts of the same situated in the county of Elgin or Moray as those parts situated in the county of Inverness.

SCHEDULE B.

Description of District transferred to County of Elgin or Moray.

Those parts and portions of the united parish of Cromdale and Inverallan, on the north side of the River Spey, lying to the north and east of the following line, viz.:—From the mouth of the River Dulnan, where it enters the River Spey, up the River Dulnan to the point where the Burn called the Muckrach or Findlarigg Burn enters it; thence up the Muckrach or Findlarigg Burn to a point thereon where a stone marked "County Boundary" has been placed five hundred and seventy-two yards or thereby, measuring in a straight line from the well called Fuaranahanish Well, lying on the south side of the hill called Beinmore; and from the last-mentioned point on the said Muckrach or Findlarigg Burn in a straight line to the said well, which is a point on the present boundary between the counties of Inverness and Elgin or Moray. Those parts of the united parish of Cromdale and Inverallan lying on the south side of the River Spey.

CHAP. 17.

An Act for making further provision relating to the Management of certain Departments of the War Office. [20th June 1870.]

WHEREAS previously to the date of the Act next hereinafter mentioned divers duties relating to the administration of ordnance, munitions of war, and military stores, were performed by certain officers, styled the principal officers of Ordnance:

And whereas by the Act of the session of the eighteenth and nineteenth years of the reign of Her present Majesty,

chapter one hundred and seventeen, intituled "An Act for "transferring to one of Her Majesty's Principal Secretaries "of State the powers and estates vested in the principal "officers of the Ordnance," all the duties hitherto performed by the said principal officers were vested in one of Her Majesty's Principal Secretaries of State: 18 & 19 Vict. c. 117.

And whereas by the Act of the session of the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter twelve, intituled "An Act to abolish the "office of Secretary at War, and to transfer the duties of that "office to one of Her Majesty's Principal Secretaries of State," the office of Secretary at War was abolished, and the various duties, powers, and authorities of the Secretary at War were vested in one of Her Majesty's Principal Secretaries of State: 26 & 27 Vict. c. 12.

And whereas it is expedient to make further provision for the performance of the increased duties that have so devolved on the said Secretary of State, and that the officers to be appointed under this Act to discharge such duties should, as the principal officers of Ordnance and Secretary at War formerly were, be eligible to sit in Parliament:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The War Office Act, 1870." Short title.

2. From and after the passing of this Act one of Her Majesty's Principal Secretaries of State may from time to time appoint and at his pleasure remove an officer to be styled the Surveyor General of the Ordnance, and such officer shall not by virtue of such appointment, if sitting in the Commons House of Parliament, vacate his seat, or, whether sitting in such House or not, be disqualified from being elected to or sitting or voting in the said House of Parliament. Appointment of Surveyor General of Ordnance.

3. From and after the passing of this Act one of Her Majesty's Principal Secretaries of State may from time to time appoint and at his pleasure remove an officer to be styled the Financial Secretary of the War Office, and such officer shall not by virtue of such appointment, if sitting in the Commons House of Parliament, vacate his seat, or, whether sitting in such House or not, be disqualified from being elected to or sitting or voting in the said House of Parliament. Appointment of Financial Secretary of War Office.

4. There shall be performed by the officers appointed under this Act such duties in relation to the War Office of Her Majesty's Government as Her Majesty may, by Order in Council, from time to time assign to them, and such Order in Council shall, if Parliament be sitting at the time of the making thereof, be laid before Parliament within fourteen days after the date thereof, and if Parliament be not then sitting, within fourteen days after the next meeting thereof. Duties of officers appointed under Act.

Salaries of officers.

5. There shall be paid to the officers appointed under this Act, out of moneys to be provided by Parliament, such salaries as shall be from time to time regulated by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury.

CHAP. 18.

An Act to provide for the equal distribution over the Metropolis of a further portion of the charge for the Relief of the Poor. [20th June 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Maintenance of in-door poor to be a charge upon the Metropolitan Common Poor Fund.

1. From and after the twenty-ninth day of September one thousand eight hundred and seventy the provisions of the sixty-ninth section of the Metropolitan Poor Act, 1867, directing the repayment of the expenses incurred for the maintenance of lunatics and insane poor, and of patients in any asylum specially provided under that Act for patients suffering from fever and small pox, shall extend to the expenses incurred for the maintenance of paupers in any other asylum now or hereafter to be provided under the said Act, and to the maintenance of paupers above the age of sixteen years in any workhouse in the Metropolis, and the Poor Law Board shall, by its precept under seal, direct the Receiver of the Common Poor Fund to repay such expenses out of that fund, in the same manner as the expenses specified in that section, subject, nevertheless, to the following provisions:—

(1.) The Poor Law Board shall certify the maximum number of paupers to be maintained in any workhouse or asylum.

(2.) No repayment shall be made in respect of a greater number of paupers maintained in any asylum on any one day than will complete the maximum number which such asylum shall have been certified to hold as aforesaid, nor in respect of a greater number of paupers maintained in any workhouse on any one day than will, together with the children under the age of sixteen, if any, maintained therein on the same day, complete the maximum number certified for such workhouse.

(3.) The amount so repaid in respect of such maintenance shall be at the rate of fivepence per day for each pauper in such workhouse or asylum.

(4.) If the guardians of any union or parish, or the managers of any asylum, shall, during any half year ending at Lady Day or Michaelmas respectively, have refused or neglected to comply with any Order of the Poor Law Board, issued under the Poor Law Acts, direct-

ing the alteration or enlargement of the workhouse, the provision of proper drainage, sewers, ventilation, fixtures, furniture, surgical and medical appliances, or directing the appointment of any officer, or prescribing the maximum number of paupers to be maintained in any workhouse or asylum, or the classification of such paupers, such guardians or managers shall be deemed to be in default, and the Poor Law Board may, if they think fit, omit from their precept for such half year, addressed to the Receiver of the Common Poor Fund, the sums which such guardians or the guardians of the unions and parishes comprised in the district to which the asylum belongs, would have been entitled to be repaid under this Act if there had been no such default: Provided that if such guardians or managers shall comply with such Order before the termination of the next ensuing half year, it shall be lawful for the Poor Law Board to include in their precept for that half year the sums so omitted from their precept for the previous half year.

The maintenance of officers to be allowed as part of their salaries.

2. The term "salaries of officers," referred to in the said sixty-ninth section of the said Metropolitan Poor Act, shall include the cost of the rations of the officers therein described, according to a scale to be fixed by the Poor Law Board.

Financial statement of guardians.

3. Within one month of each audit of the accounts of the board of guardians of any union or parish in the metropolis, such board shall deliver, by post or otherwise, to each vestry within such union or parish, one or more copies of the financial statement of such guardians, showing the receipts, expenditure, balances, and liabilities for the half-year, as audited.

Construction. Short title.

4. This Act shall be construed in like manner as the Metropolitan Poor Act of 1867, and shall be termed The Metropolitan Poor Amendment Act, 1870.

CHAP. 19.

An Act to amend "The Railway Companies Powers Act, 1864," and "The Railway Construction Facilities Act, 1864." [20th June 1870.]

WHEREAS it is expedient to amend "The Railway Companies Powers Act, 1864," and also "The Railways Construction Facilities Act, 1864:"

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Railways (Powers and Construction) Acts, 1864, Amendment Act, 1870."

Parts of Acts herein named repealed.

2. From and after the passing of this Act, there shall be repealed sections seven and eight of The Railway Companies Powers Act, 1864, and Part I. of the schedule annexed to the said Act; and sections nine and ten of The Railways Construction Facilities Act, 1864, and Part I. of the schedule annexed to the said Act.

Powers of Board of Trade where notice of opposition lodged.

3. Any railway or canal company, which for the purposes of this Act shall include the owners, lessees, or proprietors of any canal or inland navigation, may, in case it desires to be heard by counsel, agents, and witnesses against any application for a certificate under The Railway Companies Powers Act, 1864, or for a certificate authorising any proposed undertaking under The Railways Construction Facilities Act, 1864, (each of which Acts is in this Act respectively referred to as the Act of Application,) lodge at the office of the Board of Trade, within the time prescribed by the schedule to this Act annexed, a notice in writing to that effect (in this Act referred to as a notice of opposition), in the forms set forth in the same schedule, with such variations as circumstances require.

Where a notice of opposition has been lodged the Board of Trade may nevertheless, if they think fit, proceed upon the application, but they shall in such case settle a Provisional Certificate in accordance with the provisions of this Act.

Every Provisional Certificate under this Act shall be settled in like manner, shall certify to the like effect, and contain the like provisions in every respect as if the same were a Draft Certificate settled by the Board of Trade, under the authority of the Act of Application in a like case, but where no notice of opposition was lodged.

When any such Provisional Certificate is confirmed in manner by this Act provided, the same shall have all the force and operation of a certificate duly made and issued by the Board of Trade, under the authority of the Act of Application, but previously to such confirmation it shall not be of any validity whatsoever.

When any Provisional Certificate is settled under this Act notice thereof shall be given by the promoters in like manner as if the same were a Draft Certificate under the Act of Application according to the provisions of such Act in that behalf.

As to payment of costs of Orders.

The costs of and connected with the preparation and making of each Provisional Certificate shall be paid by the promoters, and the Board of Trade may require the promoters to give security for such costs before they proceed with the Provisional Certificate.

Confirmation of Provisional Certificate by Act of Parliament.

4. On proof to the satisfaction of the Board of Trade that notice of such certificate was duly given in manner aforesaid, the Board of Trade shall, as soon as they conveniently can after the expiration of seven days after such proof, procure a Bill to be introduced into either House of Parliament for an Act to

confirm the Provisional Certificate, which shall be set out at length in the schedule to the Bill.

If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Certificate comprised therein, the Bill, so far as it relates to the certificate petitioned against, may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

The provisions of the Act of this present session of Parliament, intituled "An Act to empower Committees on Bills "confirming Provisional Orders to award costs and to exa- "mine witnesses on oath," shall extend and apply to any select committee to whom any Bill to confirm a Provisional Certificate under this Act has been referred, in like manner and subject to the same conditions in every respect as if such Provisional Certificate were a Provisional Order.

The Act of Parliament confirming any Provisional Certificate shall be deemed a Public General Act.

Section 33 of 27 & 28 Vict. c. 121. repealed.

5. From and after the passing of this Act, section thirty-three of the said Railways Construction Facilities Act, 1864, relating to the gauge of railways, shall be and the same is hereby repealed, and every railway made under the authority of a certificate under the said Act or this Act shall be made on such gauge as shall be prescribed by such certificate.

Application of sections 4, 6, 7, and 8 of 9 & 10 Vict. c. 57.

Sections four, six, seven, and eight of the Act of the session of the ninth and tenth years of the reign of Her present Majesty, chapter fifty-seven, intituled "An Act for regulating "the gauge of railways," shall apply to any railway made under the authority of any such certificate as aforesaid, and to the gauge thereby prescribed.

Gauge of railways.

For the purposes of such application the provisions of the certificate relating to gauge shall be deemed to be included in the provisions of the said Act of the ninth and tenth years of the reign of Her present Majesty, chapter fifty-seven.

Amendment of Part IV. of the schedule to 27 & 28 Vict. c. 121.

6. All enactments amending, perpetuating, or otherwise affecting the enactments described in Part IV. of the schedule to the said Railways Construction Facilities Act, 1864, and which are now in force, or which may hereafter become law, shall, in like manner and subject to the like variations and provisions as the enactments described in the said schedule, extend and apply, as the case may require, to the railway, and to the company or persons empowered by the certificate under the said Act or this Act to make the railway, and shall in all respects operate in relation thereto respectively as if they were expressly repeated and re-enacted in the said Act, save where the same are expressly varied or excepted by such certificate.

The SCHEDULE referred to in the foregoing Act.

Notice of Opposition.

In the matter of

The Railways Companies Powers Act, 1864, and The Railways (Powers and Construction) Acts, 1864, Amendment Act, 1870,

and

The application of the Railway Company for a certificate, the draft whereof is intituled [*set out title*].

We, the Railway [*or* Canal] Company hereby declare and give notice that we desire to be heard by counsel, agents, and witnesses against the granting to the above-named railway company of the powers sought to be obtained by them by the above-mentioned application.

Dated this day of 18

Witness, *A.B.*

L.S.

Or,

Notice of Opposition.

In the matter of

The Railways Construction Facilities Act, 1864, and The Railways (Powers and Construction) Acts, 1864, Amendment Act, 1870,

and

The (proposed) Railway.

We, the Railway [*or* Canal] Company hereby declare and give notice that we desire to be heard by counsel, agents, and witnesses against the above-mentioned proposed undertaking.

Dated this day of 18

Witness, *A.B.*

L.S.

Time for lodging Notice of Opposition.

Notice of opposition by a Railway or Canal Company is to be lodged at the office of the Board of Trade, not later than the 1st day of August, or the 1st day of January, next succeeding the date of the advertisement of application, according as the same is published in the month of June or in the month of November.

CHAP. 20.

An Act to amend "The Mortgage Debenture Act, 1865." [4th July 1870.]

WHEREAS it is expedient that "The Mortgage Debenture Act, 1865," (herein-after called "the Principal Act,") should be amended:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

This Act and 28 & 29 Vict. c. 78. to be construed together.

1. This Act shall be construed as one with "The Mortgage Debenture Act, 1865," (which is herein-after referred to as "the Principal Act,") and may be cited for all purposes as "The Mortgage Debenture (Amendment) Act, 1870."

Interpretation of terms.

2. The expression "the Company" when used in this Act has the same meaning as that attached to it in "the Principal Act."

Repeal of sections of Principal Act.

3. Sections 5, 12, 14, 16, 17, 20, 24, 26, 28, and 36 of "The Mortgage Debenture Act, 1865," are hereby repealed.

Nature of securities on which debentures may be founded.

4. The securities upon and in respect of which mortgage debentures may be founded and issued under the authority of "the Principal Act" shall be securities affecting property in England or Wales of the following descriptions:

(*a.*) Lands, messuages, hereditaments, or real property, or some estate or interest therein:

(*b.*) Rates, dues, assessments, or impositions upon the owners or occupiers of lands, messuages, hereditaments, or real property imposed by or under the authority of any Act of Parliament, public or private, Royal Charter, Commission of Sewers or Drainage, or other sufficient legal authority:

(*c.*) Charges upon or affecting lands, messuages, hereditaments, or real property executed, made, given, or issued under the authority of any Act of Parliament, public or private:

But from the securities described in paragraph (*a.*) shall be excepted securities upon mines or mineral property, quarries, brickfields, and factories, mills, and other buildings or works for manufacturing purposes, and also securities upon leasehold estates determinable upon a life or lives, and not renewable, or held for a term of which at the date of the security less than fifty years shall be unexpired, or which are held at a rent beyond one fourth part of the annual value of the property leased as estimated at the date of the security given to the company and verified by the statutory declaration of a surveyor as herein-after provided with respect to the value of the securities to be registered.

In construing this Act the word "securities" shall be deemed to mean such securities as above defined and restricted, and no others.

Statutory declaration in lieu of voluntary declaration.

5. In lieu of the voluntary declaration required by section 10 of "the Principal Act" to be made by the surveyor or valuer therein mentioned a statutory declaration in the same form or in the form (A.) in the schedule hereto, or to the like effect, shall hereafter be requisite.

Company to file return in office of Land Registry.

6. Before any company shall be entitled to avail itself of the provisions of "the Principal Act" and this Act such company shall file in the office of the Land Registry a return containing the following and such other particulars as the registrar may from time to time require, which return shall be under the hand of one, at least, of the directors of the company and the secretary.

(*a.*) The amount of the nominal capital of the company:

(*b.*) The amount per share and the aggregate amount paid up on the shares:

(*c.*) The assets or property of the company at the date of the return, and how invested:

(*d.*) The names, addresses, and occupations of the directors and auditors of the company:

(*e.*) The registered office of the company.

Registered securities charged with payment of debentures and not applicable for any other purpose until discharged from registration.

7. All the registered securities for the time being of the company shall be charged with the payment of the principal moneys and interest from time to time payable upon or in respect of all the mortgage debentures of the company for the time being issued and outstanding, and no registered security until discharged therefrom, as herein-after provided, shall be applicable to or available for any other purpose than the satisfaction of such principal moneys and interest, or be transferred, disposed of, or otherwise dealt with by the company, unless and until the same shall have been discharged from registration in the manner herein-after provided: Provided, nevertheless, that such registration shall not prevent the company from receiving, applying, and giving a valid discharge for any instalments payable by the terms of the deed creating the security or any annuities or interest which may from time to time be receivable upon or in respect of any such security, unless where a receiver shall have been actually appointed under the provisions of "the Principal Act."

Proceedings on redemption of securities.

8. Whenever any person for the time being entitled to redeem a security which has been registered under the provisions of this or "the Principal Act" has given notice to the company of his intention so to do, or if the company shall themselves at any time be desirous of freeing and discharging any registered security, the company, in the case first mentioned, shall before the day appointed for the redemption, and, in the case secondly mentioned, may at any time make application to the registrar for the purpose of having such respective security freed and discharged from the charge of the mortgage debentures issued by the company, and upon its being made to appear to his satisfaction that the aggregate of the principal sums secured by all the mortgage debentures of the company then outstanding does not exceed the total amount (to be ascertained in the manner provided by "the Principal Act") of the registered securities of the company at the time being, exclusive of that proposed to be discharged, he shall

allow the same to be so freed and discharged, and shall cause an entry to be made in the register of securities of the said security being discharged, and shall on request redeliver to the company the several deeds or instruments to which such security relates, and which were delivered to the registrar for registration under the provisions in that behalf contained in "the Principal Act," and such entry shall be conclusive evidence of such discharge.

Owner of registered security upon default of company may obtain the discharge thereof from company's debentures.

9. If in the case first mentioned in the last preceding section the company shall have made default in procuring the discharge on or before the day appointed for redemption, the person so entitled to redeem, and who has given notice as aforesaid of his intention to redeem, may apply to the High Court of Chancery, by summons, calling upon the company to show cause why such security is not so discharged, and upon hearing such summons the judge shall appoint a day by which the discharge shall be obtained, and in default thereof shall order that the amount of principal and interest money due upon such security shall, by a day to be named in the order, be paid into the bank, to the credit of the Accountant-General of the Court of Chancery to the account of the company's mortgage debentures, and shall make such order as to the costs of and incidental to the application as the court may deem just.

Upon production to and deposit with the land registrar of such order, together with the Accountant-General's certificate of such payment into court, as aforesaid, the registrar shall make an entry in the proper register of securities of the discharge of such security from the company's mortgage debentures, and shall deliver to the person named in such order the several deeds and instruments to which such security relates, and which were delivered to the registrar under the provisions herein contained.

Upon the company proving to the satisfaction of the court by the production of a certificate of the registrar, either that a security at least equal in value to the amount so paid into court as aforesaid has been registered as aforesaid, or that an equivalent amount of the company's mortgage debentures has been cancelled, the court shall direct the payment out of court to the company of the amount so paid in, together with any dividends that may have accrued due thereon in the meantime.

Discharge of part of a mortgage security.

10. Whenever any person who has executed a mortgage security which has been registered under the provisions of this or the Principal Act is desirous to redeem a part of such security, and of having such part freed and discharged from the mortgage debentures for the time being issued by the company, and then outstanding, the company may make application to the registrar for the purpose of having such part freed and discharged from such mortgage debentures; and upon it being made to appear to the satisfaction of the

registrar, by the statutory declaration of a surveyor approved by the Inclosure Commissioners, that the principal moneys secured on the residue of the mortgage security do not exceed two thirds of the value thereof, and upon it also being made to appear to the satisfaction of the registrar that the aggregate of the principal sums secured by all the mortgage debentures of the company then outstanding does not exceed the total amount (to be ascertained in manner provided by the Principal Act) of the registered securities of the company at the time being, exclusive of the part of the security proposed to be discharged, he shall allow the same to be so freed and discharged, and shall cause an entry to be made in the register of securities of such discharge, and shall, on request, re-deliver to the company the several deeds or instruments, if any, which exclusively relate to the part so discharged, and which were delivered to the registrar for registration under the provisions in that behalf contained in the Principal Act, and such entry shall be conclusive evidence of such discharge.

Inspection of registers and returns.

11. Subject to the regulations mentioned in section 19 of "the Principal Act," and on payment of such fees as the registrar with the sanction of the Lord Chancellor from time to time prescribes, any person may inspect and make copies of and extracts from the register of securities, the register of mortgage debentures and the returns made by the company to the registrar under the provisions of "the Principal Act."

Additional particulars to be contained in quarterly returns to registrar.

12. In addition to the particulars required to be contained in the quarterly return to be made by the company to the registrar by the 23rd section of "the Principal Act," every such quarterly return shall contain the following particulars:—

(*a.*) The names, addresses, and occupations of the directors and auditors of the company:

(*b.*) The registered office of the company.

What to be deemed value of mortgage or security.

13. Where by any mortgage or other like security to the company the principal is expressly distinguished from the interest, and such principal is made payable by periodical payments, the amount or value of such mortgage or security shall for the purpose of the quarterly returns be deemed to be the amount of principal money exclusive of interest remaining unpaid thereon at the date of the quarterly return.

In certain cases value of annuities to be estimated by an actuary.

14. In all cases not provided for by the last section the amount or value of the annuities and other periodical payments to be comprised in the quarterly returns shall be ascertained or estimated by an actuary approved by the registrar.

Form of mortgage debenture.

15. Every mortgage debenture from time to time issued by the company shall be a deed under the common seal of the company duly stamped as a mortgage for the amount secured, and bearing the signatures of at least two of the directors, and the counter-signature of the manager, secretary, or accountant of the company, and shall be in accordance with the form (B.) in the schedule to this Act, or as near thereto as circumstances admit.

16. The mortgage debentures shall be for the payment of principal sums, either at a fixed time to be named therein, not less than six months nor exceeding ten years from the date, or at any time on six calendar months previous notice being given to the company by the holder for the time being of the mortgage debenture, or by the company to the holder for the time being of the mortgage debenture with interest thereon in the meantime at such rate as may be agreed payable half-yearly or otherwise, and no mortgage debenture shall be issued for a less principal sum than fifty pounds. Terms on which mortgage debentures may be issued.

17. When a mortgage debenture is produced by the company to the registrar discharged or cancelled he shall make in the register of mortgage debentures an entry of the discharge thereof. Entry in register of discharge of mortgage debenture.

18. Nothing in this Act shall exempt the company from the provisions of any Act relating to joint stock companies, and applicable to the company. Company not exempt from Joint Stock Companies Acts.

SCHEDULE.

FORM (A.)

Form of the Surveyor's or Valuer's Declaration.

[*Here insert a copy of the return to be made by the company on application to register securities, distinguishing each security by a separate letter or number.*]

I of do solemnly and sincerely declare that the information above contained with respect to the security numbered or lettered is to the best of my information and belief correct, and that the value of the property above described (and, *if the borrower's interest is of a limited nature,* the value of the borrower's estate and interest in the property above described) exceeds the amount of £ the advance made by the company in respect thereof (and, *if there are prior charges,* of the prior charges thereon), to the extent of one third at least of such value (and, *if the borrower's interest is that of a leaseholder,* that the rent reserved by the lease under which the property above described is held, does not exceed one fourth of the annual value thereof at the present time).

[*A separate declaration shall be made in respect of each security, and where the mortgage or charge is secured exclusively upon any of the securities comprised in sec.* 5 (b *and* c) *omit from the word* "declare" *to the end and insert* "to the best of my information and belief the security above described and numbered is now of the value of £ ."]

FORM (B.)

Form of Mortgage Debenture.

The Company.

Mortgage Debenture No.

By virtue of "The Mortgage Debenture Act, 1865," we the company in consideration of £ paid to us by *A.B.* of do hereby charge all the registered securities of the company with the payment to the said

A.B., his executors, administrators, and assigns, of the sum of £ and interest thereon at the rate of per cent. per annum, which sum of £ is to be paid and payable to the said *A.B.*, his executors, administrators, and assigns, at the [*place*] on the day of (*or* on the expiration of six calendar months from the leaving at the registered office of the company of a notice in writing from the said *A.B.*, his executors, administrators, or assigns, requiring such payment, or on the expiration of six calendar months from the day succeeding the posting of a registered letter containing notice in writing from the company of their intention to repay the said sum of £), with interest on the same at the rate of per cent. per annum, payable half-yearly at said place on every day of and day of and we hereby undertake to pay said sum of £ and interest at the rate aforesaid as above mentioned.

Given under our common seal, this day of

A.B., Director.
C.D., Director.

Countersigned, *G.F.*, Secretary.

Registered

CHAP. 21.

An Act to disfranchise the Boroughs of Bridgwater and Beverley. [4th July 1870.]

WHEREAS representations were made to Her Majesty, in joint addresses of both Houses of Parliament, to the effect that the judges selected in pursuance of The Parliamentary Elections Act, 1868, for the trial of the petitions complaining of undue elections and returns for the boroughs of Bridgwater and Beverley at the elections of members to serve in Parliament, respectively held for the said boroughs in the month of November one thousand eight hundred and sixty-eight, had respectively reported to the House of Commons, as to the said borough of Bridgwater that there was reason to believe that bribery extensively prevailed at the said election, and as to the said borough of Beverley that corrupt practices extensively prevailed at the said election:

And whereas, in pursuance of such representations, Commissioners were appointed under two several commissions, both dated the twenty-third day of June one thousand eight hundred and sixty-nine, for the purpose of making inquiry into the existence of such bribery and corrupt practices, in pursuance of the Act of Parliament passed in the sixteenth year of the reign of Her present Majesty, chapter fifty-seven, intituled "An Act to provide for the more effectual inquiry "into the existence of corrupt practices at elections for "members to serve in Parliament:"

And whereas the Commissioners so appointed reported to Her Majesty:

(1.) As respects the said borough of Bridgwater, that corrupt practices had extensively prevailed at the

said election held in the said month of November one thousand eight hundred and sixty-eight, and at every preceding election for the borough of Bridgwater into which they had inquired, up to and inclusive of the earliest in date, that is to say, the general election held in the year one thousand eight hundred and thirty-one:

(2.) As respects the said borough of Beverley, that corrupt practices had prevailed in Beverley at the election of March one thousand eight hundred and fifty-seven, and that corrupt practices had extensively prevailed in Beverley at the election of August one thousand eight hundred and fifty-seven, and at the elections of the years one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty, one thousand eight hundred and sixty-five, and the said election of the year one thousand eight hundred and sixty-eight:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Disfranchisement of Bridgwater and Beverley.

1. That from and after the passing of this Act the boroughs of Bridgwater and Beverley shall respectively cease to return any member or members to serve in Parliament.

Persons reported guilty of bribery in Bridgwater disqualified as voters for the western division of Somerset in respect of qualification arising in said borough.

2. Whereas the Commissioners appointed for the purpose of making inquiry into the existence of corrupt practices in the said borough of Bridgwater, by their second report, dated the twentieth day of December one thousand eight hundred and sixty-nine, reported to Her Majesty that the persons named in the schedules marked (Y.) and (Z.) annexed to their said report had been guilty of giving or receiving bribes at the said election in the year one thousand eight hundred and sixty-eight: Be it enacted, that none of the persons so named in the said schedules shall have the right of voting for the western division of the county of Somerset in respect of a qualification situated within the said borough of Bridgwater.

Persons reported guilty of bribery in Beverley disqualified as voters for the east riding of Yorkshire in respect of qualification arising in said borough.

3. Whereas the Commissioners appointed for the purpose of making inquiry into the existence of corrupt practices in the borough of Beverley, by their report, dated the twenty-ninth day of January one thousand eight hundred and seventy, reported to Her Majesty that certain persons named in the schedule annexed to their said report had been guilty of bribery, in either giving or receiving bribes, at the said election in the year one thousand eight hundred and sixty-eight or elections indicated in such schedule: Be it enacted, that none of the persons so named in the said schedule, except Luke Hind, as having been so guilty of bribery at the said election held in the year one thousand eight hundred and sixty-eight shall have the right of voting for the east riding

of Yorkshire in respect of a qualification situated within the said borough of Beverley.

When to be adjudged guilty of bribery.

4. No person against whom any criminal proceeding has been instituted by the Attorney General for such bribery shall be subject to any disqualification under this Act until he shall be or have been adjudged guilty of such bribery.

Copies of reports printed by Queen's Printer to be evidence.

5. Any copy of either of the said reports by the said Commissioners appointed for the purpose of making inquiry into the existence of corrupt practices in either of the said boroughs of Bridgwater or Beverley, with the schedules thereunto annexed, purporting to be printed by the Queen's Printer, shall, for the purposes of this Act, be deemed to be sufficient evidence of either of the said reports, and of the schedules annexed thereto.

CHAP. 22.

An Act to confirm a certain Provisional Order made under an Act of the fifteenth year of Her present Majesty, to facilitate arrangements for the relief of Turnpike Trusts. [4th July 1870.]

14 & 15 Vict. c. 38.

WHEREAS by an Act of the fifteenth year of Her Majesty, chapter thirty-eight, "to facilitate arrangements for the "relief of Turnpike Trusts, and to make certain provisions "respecting exemptions from Tolls," herein-after referred to as the Principal Act, power is given to one of Her Majesty's Principal Secretaries of State to make provisional orders for reducing the rate of interest and for extinguishing the arrears of interest on mortgage debts charged or secured on the revenues of turnpike roads, in cases where such revenues are insufficient for the payment in full of the interest charged thereon:

24 & 25 Vict. c. 46

And whereas by the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter forty-six, the Principal Act is extended to turnpike roads the Acts relating to which are continued by any annual Turnpike Acts Continuance Act, although their revenues are not insufficient for such payments as aforesaid:

And whereas, in pursuance of the Principal Act, and the said Act extending the same, the provisional order referred to in the schedule hereto has been made by Her Majesty's Principal Secretary of State for the Home Department, and there are stated in the said schedule the date of such order, and such particulars relating thereto as are therein specified:

And whereas it is expedient that the said provisional order should be confirmed and made absolute:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The provisional order, the date of which is set forth in the first column of the said schedule, is hereby confirmed, and the provisions thereof shall be of the like force and effect as if it had been expressly enacted by Parliament. Provisional order confirmed.

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the under-mentioned Rates per Annum.	Dates from which reduced Rate of Interest to commence.
1870. 25 Feb.	3 Wm. 4. c. lxxiv., "An Act for more "effectually re- "pairing and "otherwise im- "proving the road "from Warring- "ton to Wigan in "the County Pa- "latine of Lan- "caster" -	£ s. d. 14,469 0 0	One penny per cent.	21 Aug. 1868 (certain arrears extinguished).

CHAP. 23.

An Act to abolish Forfeitures for Treason and Felony, and to otherwise amend the Law relating thereto.

[4th July 1870.]

WHEREAS it is expedient to abolish the forfeiture of lands and goods for treason and felony, and to otherwise amend the law relating thereto:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

1. From and after the passing of this Act, no confession, verdict, inquest, conviction, or judgment of or for any treason or felony or felo de se shall cause any attainder or corruption of blood, or any forfeiture or escheat, provided that nothing in this Act shall affect the law of forfeiture consequent upon outlawry. Forfeiture, &c. abolished.

2. Provided nevertheless, that if any person hereafter convicted of treason or felony, for which he shall be sentenced to death, or penal servitude, or any term of imprisonment with hard labour, or exceeding twelve months, shall at the time of such conviction hold any military or naval office, or any civil office under the Crown or other public employment, or any ecclesiastical benefice, or any place, office, or emolument in any university, college, or other corporation, or be entitled Conviction for treason or felony to be a disqualification for offices, &c.

to any pension or superannuation allowance payable by the public, or out of any public fund, such office, benefice, employment, or place shall forthwith become vacant, and such pension or superannuation allowance or emolument shall forthwith determine and cease to be payable, unless such person shall receive a free pardon from Her Majesty, within two months after such conviction, or before the filling up of such office, benefice, employment, or place if given at a later period; and such person shall become, and (until he shall have suffered the punishment to which he had been sentenced, or such other punishment as by competent authority may be substituted for the same, or shall receive a free pardon from Her Majesty), shall continue thenceforth incapable of holding any military or naval office, or any civil office under the Crown or other public employment, or any ecclesiastical benefice, or of being elected, or sitting, or voting as a member of either House of Parliament, or of exercising any right of suffrage or other parliamentary or municipal franchise whatever within England, Wales, or Ireland.

Persons convicted of treason or felony may be condemned in costs.

3. It shall be lawful for any Court by which judgment shall be pronounced or recorded, upon the conviction of any person for treason or felony, in addition to such sentence as may otherwise by law be passed, to condemn such person to the payment of the whole or any part of the costs or expenses incurred in and about the prosecution and conviction for the offence of which he shall be convicted, if to such Court it shall seem fit so to do; and the payment of such costs and expenses, or any part thereof, may be ordered by the Court to be made out of any moneys taken from such person on his apprehension, or may be enforced at the instance of any person liable to pay, or who may have paid the same, in such and the same manner (subject to the provisions of this Act) as the payment of any costs ordered to be paid by the judgment or order of any Court of competent jurisdiction in any civil action or proceeding may for the time being be enforced: Provided, that in the meantime and until the recovery of such costs and expenses from the person so convicted as aforesaid, or from his estate, the same shall be paid and provided for in the same manner as if this Act had not passed; and any money which may be recovered in respect thereof from the person so convicted, or from his estate, shall be applicable to the reimbursement of any person or fund by whom or out of which such costs and expenses may have been paid or defrayed.

Compensation to persons defrauded or injured by felony.

4. It shall be lawful for any such Court as aforesaid, if it shall think fit, upon the application of any person aggrieved, and immediately after the conviction of any person for felony, to award any sum of money, not exceeding one hundred pounds, by way of satisfaction or compensation for any loss of property suffered by the applicant through or by means of the said felony, and the amount awarded for such satisfaction or compensation shall be deemed a judgment debt due to the

person entitled to receive the same from the person so convicted, and the order for payment of such amount may be enforced in such and the same manner as in the case of any costs ordered by the Court to be paid under the last preceding section of this Act.

The word "forfeiture" defined.

5. The word "forfeiture," in the construction of this Act, shall not include any fine or penalty imposed on any convict by virtue of his sentence.

The word "convict" defined.

6. The expression "convict," as herein-after used, shall be deemed to mean any person against whom, after the passing of this Act, judgment of death, or of penal servitude, shall have been pronounced or recorded by any Court of competent jurisdiction in England, Wales, or Ireland upon any charge of treason or felony.

When convict shall cease to be subject to operation of the Act.

7. When any convict shall die or be made bankrupt, or shall have suffered any punishment to which sentence of death if pronounced or recorded against him may be lawfully commuted, or shall have undergone the full term of penal servitude for which judgment shall have been pronounced or recorded against him, or such other punishment as may by competent authority have been substituted for such full term, or shall have received Her Majesty's pardon for the treason or felony of which he may have been convicted, he shall thenceforth, so far as relates to the provisions herein-after contained, cease to be subject to the operation of this Act.

Convict disabled to sue for or to alienate property, &c.

8. No action at law or suit in equity for the recovery of any property, debt, or damage whatsoever shall be brought by any convict against any person during the time while he shall be subject to the operation of this Act; and every convict shall be incapable, during such time as aforesaid, of alienating or charging any property, or of making any contract, save as herein-after provided.

The Crown may appoint administrators of any convict's property.

9. It shall be lawful for Her Majesty, or for any person in that behalf authorised by Her Majesty, under Her Royal Sign Manual (and which authority may be given either generally or with reference to any particular case), if to Her Majesty or to the person so authorised it shall seem fit, by writing under Her Majesty's Royal Sign Manual, or under the hand of the person so authorised as aforesaid, to commit the custody and management of the property of any convict, during Her Majesty's pleasure, to an administrator, to be by such writing appointed in that behalf; and every such appointment may be revoked by the same or the like authority by which it is made; and upon any determination thereof, either by revocation or by the death of any such administrator, a new administrator may be appointed by the same or the like authority from time to time; and every such new administrator shall, upon his appointment, be and be deemed to be the successor-in-law of the former administrator; and all property vested in, and all powers given to, such former administrator by virtue of this Act shall thereupon devolve to and become

vested in such successor, who shall be bound by all acts lawfully done by such former administrator during the continuance of his office; and the provisions herein-after contained with reference to any administrator shall, in the case of the appointment of more than one person, apply to such administrators jointly.

Convict's property to vest in administrators on their appointment.

10. Upon the appointment of any such administrator in manner aforesaid all the real and personal property, including choses in actions, to which the convict named in such appointment was at the time of his conviction, or shall afterwards while he shall continue subject to the operations of this Act, become or be entitled, shall vest in such administrator for all the estate and interest of such convict therein.

Remuneration of administrators.

11. If, in the instrument by which any such administrator is appointed, provision shall be made for the remuneration of such administrator out of the property of the convict, the said administrator may receive and retain for his own benefit such remuneration accordingly.

Powers of administrators.

12. The administrator shall have absolute power to let, mortgage, sell, convey, and transfer any part of such property as to him shall seem fit.

Administrator to pay out of property costs of prosecution and costs of executing this Act.

13. It shall be lawful for the administrator to pay or cause to be paid out of such property, or the proceeds thereof, all costs and expenses which the convict may have been condemned to pay; and also all costs, charges, and expenses incurred by such convict in and about his defence; and also all such costs, charges, and expenses as the said administrator may incur or be put to in or about the carrying this Act into execution with reference to such property, or with reference to any claims which may be made thereon.

Administrator may pay out of property debts or liabilities of convict.

14. The administrator may cause payment or satisfaction to be made out of such property of any debt or liability of such convict which may be established in due course of law, or may otherwise be proved to his satisfaction, and may also cause any property which may come to his hands to be delivered to any person claiming to be justly entitled thereto, upon the right of such person being established in due course of law, or otherwise to his satisfaction.

Administrators may make compensations out of property to persons defrauded by criminal acts of convict.

15. The administrator may cause to be paid or satisfied out of such property such sum of money by way of satisfaction or compensation for any loss of property or other injury alleged to have been suffered by any person through or by means of any alleged criminal or fraudulent act of such convict, as to him shall seem just, although no proof of such alleged criminal or fraudulent act may have been made in any Court of law or equity; and all claims to any such satisfaction or compensation may be investigated in such manner as the administrator shall think fit, and the decision of the administrator thereon shall be binding: Provided always, that nothing in this Act shall take away or prejudice any right, title, or remedy to which any person alleging himself to have suffered

any such loss or injury would have been entitled by law if this Act had not passed.

Administrator may make allowances out of property for support of family of convict.

16. The administrator may cause such payments and allowances for the support or maintenance of any wife or child, or reputed child of such convict, or of any other relative or reputed relative of such convict dependent upon him for support, or for the benefit of the convict himself, if and while he shall be lawfully at large under any licence, as to such administrator shall seem fit, to be made from time to time out of such property, or the income thereof.

Exercise of administrator's power as to priority of payments; payments by administrator for purposes of Act not to be called in question.

17. The several powers herein-before given to the said administrator, or any of them, may be exercised by him in such order and course, as to priority of payments or otherwise, as he shall think fit; and all contracts of letting or sale, mortgages, conveyances, or transfers of property, bonâ fide made by the said administrator under the powers of this Act, and all payments or deliveries over of property bonâ fide made by or under the authority of the said administrator for any of the purposes herein-before mentioned, shall be binding; and the propriety thereof, and the sufficiency of the grounds on which the said administrator may have exercised his judgment or discretion in respect thereof, shall not be in any manner called in question by such convict, or by any person claiming an interest in such property by virtue of this Act.

Property to be preserved for convict, and to revert to him or his representatives on completion of sentence, pardon, or death.

18. Subject to the powers and provisions herein-before contained, all such property and the income thereof shall be preserved and held in trust by the said administrator, and the income thereof may, if and when the said administrator shall think proper, be invested and accumulated in such securities as he shall from time to time think fit, for the use and benefit of the said convict, and his heirs, or legal personal representatives, or of such other persons as may be lawfully entitled thereto, according to the nature thereof; and the same, and the possession, administration, and management thereof, shall re-vest in and be restored to such convict upon his ceasing to be subject to the operation of this Act, or in and to his heirs or legal personal representatives, or such other persons as may be lawfully entitled thereto; and all the powers and authorities by this Act given to the said administrator shall from thenceforth cease and determine, except so far as the continuance thereof may be necessary for the care and preservation of such property or any part thereof, until the same shall be claimed by some person lawfully entitled thereto, or for obtaining payment out of such property, or of the proceeds thereof, of any liabilities, or any costs, charges, or expenses, for which provision is made by this Act; for which purposes such powers and authorities shall continue to be in force until possession of such property shall be delivered up by the said administrator to some person being or claiming to be lawfully entitled thereto.

Administrators not to be liable, except for what they receive.

19. The said administrator shall not be answerable to any person for any property which shall not actually have come to his hands by virtue of this Act, nor for any loss or damage which may happen through any mere omission or nonfeasance on his part to any property vested in him by virtue hereof.

Administrator to receive costs of suits of property as between solicitor and client.

20. The costs as between solicitor and client of every action or suit which may be brought against the said administrator with reference to any such property as aforesaid, whether during the time while the same shall be and continue vested in him under this Act or after the same shall cease to be so vested, and all charges and expenses properly incurred by him with reference thereto, shall be a first charge upon and shall be paid out of such property, unless the Court before which such action is tried or such suit is heard shall think fit otherwise to order.

If no administrator, interim curator may be appointed by justices.

21. If no such administrator as aforesaid shall have been appointed an interim curator of the property of any convict may be appointed by any justices of the peace in petty sessions assembled, or, where there are no petty sessions, by any justice of the peace having jurisdiction in the place where such convict before his conviction shall have last usually resided, upon the application of any person who shall be able to satisfy such justice that the application is made bonâ fide with a view to the benefit of the convict or of his family, or to the due and proper administration and management of his property and affairs; and the interim curator to be appointed may be either the person making the application or any other person willing to accept the office, and competent to discharge its duties, as to such justice shall seem fit.

Proceedings before justices.

22. Before making any such appointment the justice shall require the applicant to make oath that no administrator or interim curator of the property of such convict has been to his knowledge or belief already appointed; and the applicant shall also state upon oath, to the best of his knowledge and belief, who are the nearest relatives (including any husband or wife) of such convict, and (if any such there be) where they are residing, and whether any and which of them have consented to or have had notice of such application; and it shall be competent for such justice to require notice of such application to be given to all such persons and in such manner as to such justice shall seem fit.

Removal of interim curator for cause shown.

23. Any interim curator so appointed may be removed, for any cause shown to the satisfaction of the justices or justice or the Court, upon the application of any relative of the convict, or of any person interested in the due and proper administration and management of his property and affairs, either by the petty sessions or justice by whom he was appointed (or, in the event of such justice dying or being unable to act, by any other justice having the like jurisdiction), or by any Court in which proceedings for an account may be instituted as herein-after provided; and upon the death or removal

of any such interim curator a new interim curator may be appointed in the same manner and by the like authority as aforesaid, or (in case any such proceedings shall be then depending) by the Court in which any such proceedings shall be so depending as aforesaid.

Powers of interim curator.

24. Every interim curator so appointed as aforesaid shall have power (unless and until an administrator shall be appointed under this Act, in which case the authority of such interim curator shall thenceforth cease and determine) to sue in his own name as such interim curator, at law or in equity, for the possession and recovery of any part of the property in respect of which he shall have been so appointed, or for damages in respect of any injury thereto, and to defend in his own name as such interim curator any action or suit brought against such convict or against himself in respect of such property, and to receive and give legal discharges for all rents, dividends, interest, and income of or arising from such property, and also to receive and give discharges for any debts due to such convict, or forming part of his property, and to pay and discharge all or any debts due from such convict out of such property, and to settle and adjust accounts with any debtor or creditor of such convict, and generally to manage and administer the property of such convict; and also to make or cause to be made such payments and allowances for the support or maintenance of any wife or child of such convict, or of any other relative dependent on him for support, as shall be specially authorised by any such justice or Court aforesaid (who shall have power from time to time to authorise the same), or by any other Court having competent jurisdiction to authorise the same, out of the income of such property, or (in case such income shall be insufficient for that purpose) out of the capital thereof; and every such interim curator shall be entitled to retain out of such property, or out of the income thereof, all his costs, charges, and expenses properly incurred in and about the discharge of his duties as such curator.

Personal property may be sold by interim curator under special order.

25. Any personal property of such convict may be sold and transferred by such interim curator by and with the authority of such justice or Court as aforesaid, or of any other Court having competent jurisdiction to order the same, but not otherwise; and such interim curator shall be accountable for the proceeds of any property so sold in the same manner as for such property while remaining unsold.

Proceedings by or against interim curator not to abate if administrator is appointed.

26. All proceedings at law or in equity duly instituted by or against any such interim curator may (in case of an administrator or a new interim curator being afterwards appointed) be continued by or against such administrator or such new interim curator without any abatement thereof, the appointment of such administrator or new interim curator being entered by way of suggestion on the record, or otherwise stated upon the proceedings, according to the practice of such

Court; and all acts lawfully done and contracts lawfully made by such interim curator with respect to any property of such convict before the appointment of such administrator or such new interim curator shall be binding upon such administrator or such new interim curator after his appointment.

Execution of judgments against convict provided for.

27. All judgments or orders for the payment of money of any Court of law or equity against such convict which shall have been duly recovered or made, either before or after his conviction, may be executed against any property of such convict under the care and management of any such interim curator as aforesaid, or in the hands of any person who may have taken upon himself the possession or management thereof without legal authority, in the same manner as if such property were in the possession or power of such convict; and all such judgments or orders may likewise be executed by writ of scire facias or otherwise, according to the practice of the Court, against any such property which may be vested in any administrator of the property of such convict under the authority of this Act.

Proceedings may be taken to make administrator or interim curator, &c. accountable before property reverts to convict.

28. It shall be competent for Her Majesty's Attorney General, or other the chief law officer of the Crown for the time being in any part of Her Majesty's dominions, or for any person who (if such convict were dead intestate) would be his heir-at-law, or entitled to his personal estate, or any share thereof, under the Statutes of Distribution or otherwise, or for any person authorised by Her Majesty's Attorney General, or by such chief law officer as aforesaid, in that behalf, to apply in a summary way to any Court which (if such convict were dead) would have jurisdiction to entertain a suit for the administration of his real or personal estate, to issue a writ of summons calling upon any administrator or interim curator of the property of such convict appointed under this Act, or any person who without legal authority shall have possessed himself of any part of the property of such convict, to account for his receipts and payments in respect of the property of such convict, in such manner as such Court shall direct; and it shall be lawful for such Court thereupon to issue such writ of summons, and to enforce obedience thereto, and to all orders and proceedings of such Court consequent thereon, in the same manner as in any other case of process lawfully issuing out of such Court; and such Court shall thereupon have full power, jurisdiction, and authority to take all such accounts, and to make and give all such orders and directions as to it shall seem proper or necessary for the purpose of securing the due and proper care, administration, and management of the property of such convict, and the due and proper application of the same, and of the income thereof, and the accumulation and investment of such balances, if any, as may from time to time remain in the hands of any such administrator or interim curator, or other person as aforesaid in respect of such property; and so long as any such proceedings shall be pending in any

such Court, every such administrator or interim curator, or other person, shall act in the exercise of all powers vested in him under this Act, or otherwise in all respects as such Court shall direct; and it shall be lawful for such Court (if it shall think fit) to authorise and direct any act to be done by any such interim curator which might competently be done by an administrator duly appointed under this Act.

Administrator, &c. to be accountable to convict when property reverts.

29. Subject to the provisions of this Act, every such administrator, interim curator, and other person as aforesaid shall, from and after the time when such convict shall cease to be subject to the operation of this Act, be accountable to such convict for all property of such convict which shall have been by him possessed or received and not duly administered, in the same manner in which any guardian or trustee is now accountable to his ward or cestuique trust; but subject nevertheless and without prejudice to the administration and application of such property under and according to the powers of this Act.

Property of convict acquired while lawfully at large not to be subject to the operation of this Act.

30. Provided always, that no property acquired by a convict during the time which he shall be lawfully at large under any licence shall vest in any administrator appointed under this Act, but such convict shall be entitled thereto without any interference on the part of any administrator or interim curator appointed under this Act, and during the time last aforesaid the disabilities mentioned in the eighth section of this Act shall, as to such convict, be suspended.

Judgment in cases of high treason.

31. From and after the passing of this Act such portions of the Acts of the thirtieth year of George the Third, chapter forty-eight, and the fifty-fourth year of George the Third, chapter one hundred and forty-six, as enacts that the judgment required by law to be awarded against persons adjudged guilty of high treason shall include the drawing of the person on a hurdle to the place of execution, and, after execution, the severing of the head from the body, and the dividing of the body into four quarters, shall be and are hereby repealed.

Saving of general law as to felony.

32. Provided always, that nothing in this Act shall be deemed to alter or in anywise affect the law relating to felony in England, Wales, or Ireland, except as herein is expressly enacted.

Extent of Act.

33. This Act shall not apply to Scotland.

CHAP. 24.

An Act for making further provision respecting the borrowing of money by the Metropolitan Board of Works. [4th July 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament asembled, and by the authority of the same, as follows:

Short titles and construction.

1. This Act may be cited as The Metropolitan Board of Works (Loans) Act, 1870, and shall have effect as one Act with The Metropolitan Board of Works (Loans) Act, 1869, in this Act referred to as the principal Act; and the principal Act and this Act may be cited together as The Metropolitan Board of Works (Loans) Acts, 1869 and 1870.

Composition for stamp on transfers of existing stock.

2. By way of composition for stamp duty chargeable on transfers of metropolitan consolidated stock issued before the passing of this Act, the Metropolitan Board of Works shall, within seven days after the passing of this Act, pay to the Commissioners of Inland Revenue the sum of nine thousand eight hundred and ninety-five pounds two shillings and sixpence.

Composition for stamp on transfers of future stock.

3. By way of composition for stamp duty chargeable on transfers of metropolitan consolidated stock from time to time issued after the passing of this Act, the Metropolitan Board of Works shall, within seven days after issuing any such stock, pay to the Commissioners of Inland Revenue a sum calculated at the rate of seven shillings and sixpence for every full sum of one hundred pounds of stock issued, and also for every fractional part of one hundred pounds of stock issued to any holder.

Composition for stamp on transfers of terminable annuities.

4. By way of composition for stamp duty chargeable on metropolitan annuities from time to time granted after the passing of this Act, the Metropolitan Board of Works shall, within seven days after granting any such annuity, pay to the Commissioners of Inland Revenue a sum calculated at the rate of seven shillings and sixpence for every full sum of one hundred pounds, and also for any fractional part of one hundred pounds, of the value of the annuity, which value shall be computed in such manner as the Treasury from time to time direct.

Exemption of transfers from stamp.

5. In consideration of the provisions for composition in this Act contained, transfers of metropolitan consolidated stock issued or to be issued, and stock certificates in respect thereof, and transfers of metropolitan annuities, are hereby, notwithstanding anything in the principal Act, exempted from stamp duty.

Payment of composition, and recovery thereof.

6. All sums payable by the Metropolitan Board of Works under this Act by way of composition for stamp duty shall be paid out of money raised or to be raised by the issuing of metropolitan consolidated stock, or by the granting of metropolitan annuities; and the same shall be recoverable as stamp duties.

Amendment of section 11. of former Act.

7. Section eleven of the principal Act shall have effect as if in paragraph (1.) thereof "transferor" were substituted for "transferee."

Alteration of reference as to

8. In the event of any Act being passed in the present session of Parliament containing provisions in substitution for

The Stock Certificate Act, 1863, section sixteen of the principal Act shall have effect as if the substituted provisions were referred to in that section in lieu of The Stock Certificate Act, 1863. Stock certificates.

CHAP. 25.

An Act to disfranchise certain Voters of the City of Norwich. [4th July 1870.]

WHEREAS the Commissioners appointed under a commission of Her Majesty, dated the twenty-third day of June one thousand eight hundred and sixty-nine, for the purpose of making inquiries into the existence of corrupt practices at the election of members to serve in Parliament for the city of Norwich, held in the month of November one thousand eight hundred and sixty-eight, have by their report, dated the fifteenth day of February one thousand eight hundred and seventy, reported to Her Majesty that the several persons named in the schedule marked A. annexed to their report were guilty of bribery; that the several persons named in the schedule marked B. annexed to their report were bribed; and that the several persons named in the schedule marked C. annexed to their report were guilty of corruptly influencing voters by treating:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. From and after the passing of this Act none of the persons so named in the said schedules, or any of them, shall at any time hereafter have the right of voting at any election of a member or members to serve in Parliament for the city of Norwich. Disfranchisement of certain voters of city of Norwich.

2. Neither Arthur Bignold nor Orlando D. Ray, mentioned in Schedule A. annexed to the said report, nor any person against whom any criminal proceeding has been instituted by the Attorney General for such bribery, shall be subject to any disqualification under this Act until he shall be or shall have been adjudged guilty of such bribery. When to be adjudged guilty of bribery.

3. Any copy of the said report by the said Commissioners appointed for the purpose of making inquiries into the existence of corrupt practices in the said city of Norwich, with the schedules thereunto annexed, purporting to be printed by the Queen's Printers, shall, for the purposes of this Act, be deemed to be sufficient evidence of the said report, and of the schedules annexed thereto. Evidence of report.

CHAP. 26.

An Act to regulate the Sale of Poisons in Ireland.

[14th July 1870.]

WHEREAS it is expedient for the safety of the public that due provision should be made to regulate the sale of poisons in Ireland:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Articles named in Schedule A. to be deemed poisons within meaning of this Act.

1. The several articles mentioned in the Schedule A. to this Act annexed shall be deemed to be poisons within the meaning of this Act; and the King and Queen's College of Physicians in Ireland may from time to time, by resolution, declare that any article other than those mentioned in the said schedule and in such resolution named ought to be deemed a poison within the meaning of this Act; and thereupon the said College shall submit the said resolution for the approval of Her Majesty's Privy Council in Ireland, and if such approval shall be given, then such resolution and approval shall be advertised in the "Dublin Gazette;" and on the expiration of one month from such advertisement the article named in such resolution shall be deemed to be a poison within the meaning of this Act.

Regulations to be observed in the sale of poisons.

2. It shall be unlawful to sell any poison, either by wholesale or by retail, unless the box, bottle, vessel, wrapper, or cover in which such poison is contained be distinctly labelled with the name of the article, and the word "poison," and with the name and address of the seller of the poison; and it shall be unlawful to sell any of the poisons which are named in the first part of Schedule A. to this Act annexed, or which may hereafter be added thereto under section one of this Act, to any person unknown to the seller, unless such person is introduced by some person known to the seller; and on every sale of any such article the seller shall, before delivery, make or cause to be made an entry in a book to be kept for that purpose, stating, in the form set forth in the Schedule B. to this Act annexed, the date of the sale, the name and address of the purchaser, the name and quantity of the article sold, and the purpose for which it is stated by the purchaser to be required, to which entry the signature of the purchaser and of the person (if any) who introduced him shall be affixed; and any person selling poison otherwise than is herein provided shall be liable to a penalty not exceeding five pounds for the first offence, and to a penalty not exceeding ten pounds for the second or any subsequent offence; and for the purposes of this section the person on whose behalf any sale is made by any apprentice or servant shall be deemed to be the seller; but the provisions of this section which are solely applicable to

poisons in the first part of the Schedule A. to this Act annexed, or which require that the label shall contain the name and address of the seller, shall not apply to articles to be exported from Ireland by wholesale dealers, nor to sales by wholesale to retail dealers in the ordinary course of wholesale dealing, nor shall any of the provisions of this section apply to any medicine supplied by a duly qualified apothecary, nor apply to any article when forming part of the ingredients of any medicine dispensed by a duly qualified apothecary, provided such medicine be labelled in the manner aforesaid with the name and address of the seller, and the ingredients thereof be entered with the name of the person to whom it is sold or delivered in a book to be kept by the seller for that purpose; and nothing in this Act contained shall repeal or affect any of the provisions of the Act of the fourteenth and fifteenth years of the reign of Her present Majesty, intituled "An Act to regulate the sale of Arsenic."

Adulteration of Food or Drink Act to extend to medicines.

3. The provisions of the Act of the twenty-third and twenty-fourth years of the reign of Her present Majesty, intituled "An Act for preventing the Adulteration of Articles "of Food or Drink," shall extend to all articles usually taken or sold as medicines, and every adulteration of any such article shall be deemed an admixture injurious to health.

Recovery and application of penalties.

4. Every penalty recoverable under the provisions of this Act shall be recoverable in a summary way, with respect to the police district of Dublin metropolis subject and according to the provisions of any Act regulating the powers and duties of justices of the peace for such district or of the police of such district, and with respect to other parts of Ireland before a justice or justices of the peace sitting in petty sessions, subject and according to the provisions of the Petty Sessions (Ireland) Act, 1851, and any Act amending the same, and shall be applied according to the provisions of the Fines Act (Ireland), 1851, or any Act amending the same.

SCHEDULE A.

PART I.

Arsenic, and its preparations.
Prussic acid.
Cyanides of potassium and all metallic cyanides.
Strychnine, and all poisonous vegetable alkaloids and their salts.
Aconite, and its preparations.
Emetic tartar.
Corrosive sublimate.
Cantharides.
Savin, and its oil.
Ergot of rye, and its preparations.

PART II.

Oxalic acid.
Chloroform.
Belladonna, and its preparations.

Essential oil of almonds, unless deprived of its prussic acid.
Opium, and all preparations of opium or of poppies.
Preparations of corrosive sublimate.
Preparations of morphine.
Red oxide of mercury (commonly known as red precipitate of mercury).
Ammoniated mercury (commonly known as white precipitate of mercury).
Every compound containing any of the poisons mentioned in this schedule, when prepared or sold for the destruction of vermin.
The tincture and all vesicating liquid preparations of cantharides.

SCHEDULE B.

Date.	Name of Purchaser.	Name and Quantity of Poison sold.	Purpose for which it is required.	Signature of Purchaser.	Signature of Person introducing Purchaser.

CHAP. 27.

An Act for the Protection of Inventions exhibited at International Exhibitions in the United Kingdom.

[14th July 1870.]

WHEREAS it is expedient that such protection as is herein-after mentioned should be afforded to persons desirous of exhibiting new inventions at exhibitions to be held in the United Kingdom:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may be cited as "The Protection of Inventions Act, 1870."

Exhibition of new inventions not to prejudice patent rights.

2. The exhibition of any new invention at any international exhibition shall not, nor shall the publication during the period of the holding of such exhibition of any description of such invention, nor shall the user of such invention for the purposes of such exhibition, and within the place where the same may be held, nor shall the user of such invention elsewhere by any person without the privity and consent of the true and first inventor thereof, prejudice the right of the exhibitor thereof, he being the true and first inventor, within six months from the time of the opening of such exhibition, to leave at the office of the Commissioners of Patents a petition for the grant of letters patent for such invention and the declaration accompanying the same, and a provisional

specification or a complete specification thereof, under The Patent Law Amendment Act, 1852, and the Acts amending the same, or to obtain provisional protection or letters patent for such invention in pursuance of those Acts, nor invalidate any letters patent which may be granted for such invention upon any such petition as aforesaid.

Exhibition of designs not to prejudice right to registration.

3. The exhibition at any international exhibition of any new design capable of being registered provisionally under "The Designs Act, 1850," or of any article to which such design is applied, shall not, nor shall the publication during the period of the holding of such exhibition of any description of such design, prejudice the right of any person to register, provisionally or otherwise, such design, or invalidate any provisional or other registration which may be granted for such design.

Application of Act to international exhibitions in general.

4. The term "international exhibition" shall mean in this Act the Workmen's International Exhibition to be held in the year one thousand eight hundred and seventy; also any of the annual international exhibitions of select works of fine and industrial art and scientific inventions to be held in the year one thousand eight hundred and seventy-one and succeeding years, under the direction of Her Majesty's Commissioners for the Exhibition of one thousand eight hundred and fifty-one; also any international exhibition which the Board of Trade may, upon the application of any persons desirous of holding such exhibition, certify to be in their judgment calculated to promote British art or industry, and to prove beneficial to the mercantile or industrious classes of Her Majesty's subjects.

CHAP. 28.

An Act to amend the law relating to the Remuneration of Attorneys and Solicitors.

[14th July 1870.]

WHEREAS it is expedient to amend the law relating to the remuneration of attorneys and solicitors:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as "The Attorneys' and Solicitors' Act, 1870."

Extent of Act.

2. This Act shall not extend to Scotland.

Interpretation of terms.

3. In the construction of this Act, unless where the context otherwise requires, the words following have the significations herein-after respectively assigned to them; that is to say,

The words "attorney or solicitor" mean an attorney, solicitor, or proctor, qualified according to the provisions

of the Acts for the time being in force, relating to the admission and qualification of attorneys, solicitors, or proctors:

"Person" includes a corporation:

"Client" includes any person who, as a principal or on behalf of another person, retains or employs, or is about to retain or employ, an attorney or solicitor, and any person who is or may be liable to pay the bill of an attorney or solicitor for any services, fees, costs, charges, or disbursements.

PART I.—*Agreements between Attorneys or Solicitors and their Clients.*

The remuneration of attorneys and solicitors may be fixed by agreement.

4. An attorney or solicitor may make an agreement in writing with his client respecting the amount and manner of payment for the whole or any part of any past or future services, fees, charges, or disbursements in respect of business done or to be done by such attorney or solicitor, whether as an attorney or solicitor or as an advocate or conveyancer, either by a gross sum, or by commission or per-centage, or by salary or otherwise, and either at the same or at a greater or at a less rate as or than the rate at which he would otherwise be entitled to be remunerated, subject to the provisions and conditions in this part of this Act contained: Provided always, that when any such agreement shall be made in respect of business done or to be done in any action at law or suit in equity, the amount payable under the agreement shall not be received by the attorney or solicitor until the agreement has been examined and allowed by a taxing officer of a court having power to enforce the agreement; and if it shall appear to such taxing officer that the agreement is not fair and reasonable he may require the opinion of a court or a judge to be taken thereon by motion or petition, and such court or judge shall have power either to reduce the amount payable under the agreement or to order the agreement to be cancelled and the costs, fees, charges, and disbursements in respect of the business done to be taxed in the same manner as if no such agreement had been made.

Amount payable under agreement not to be paid until allowed by taxing officer.

Saving of interests of third parties.

5. Such an agreement shall not affect the amount of, or any rights or remedies for the recovery of, any costs recoverable from the client by any other person, or payable to the client by any other person, and any such other person may require any costs payable or recoverable by him to or from the client to be taxed according to the rules for the time being in force for the taxation of such costs, unless such person has otherwise agreed: Provided always, that the client who has entered into such agreement shall not be entitled to recover from any other person under any order for the payment of any costs which are the subject of such agreement more than the amount payable by the client to his own attorney or solicitor under the same.

Agreements shall exclude further claims.

6. Such an agreement shall be deemed to exclude any further claim of the attorney or solicitor beyond the terms of the agreement in respect of any services, fees, charges, or disbursements in relation to the conduct and completion of the business in reference to which the agreement is made, except such services, fees, charges, or disbursements, if any, as are expressly excepted by the agreement.

Reservation of responsibility for negligence.

7. A provision in any such agreement that the attorney or solicitor shall not be liable for negligence, or that he shall be relieved from any responsibility to which he would otherwise be subject as such attorney or solicitor, shall be wholly void.

Examination and enforcement of agreements.

8. No action or suit shall be brought or instituted upon any such agreement; but every question respecting the validity or effect of any such agreement may be examined and determined, and the agreement may be enforced or set aside, without suit or action, on motion or petition of any person, or the representative of any person, a party to such agreement, or being or alleged to be liable to pay, or being or claiming to be entitled to be paid, the costs, fees, charges, or disbursements in respect of which the agreement is made by the court in which the business, or any part thereof, was done, or a judge thereof, or if the business was not done in any court, then where the amount payable under the agreement exceeds fifty pounds, by any superior court of law or equity or a judge thereof, and where such amount does not exceed fifty pounds, by the judge of a county court which would have jurisdiction in an action upon the agreement.

Improper agreements may be set aside.

9. Upon any such motion or petition as aforesaid, if it shall appear to the court or judge that such agreement is in all respects fair and reasonable between the parties, the same may be enforced by such court or judge by rule or order in such manner and subject to such conditions, if any, as to the costs of such motion or petition as such court or judge may think fit; but if the terms of such agreement shall not be deemed by the court or judge to be fair and reasonable, the same may be declared void, and the court or judge shall thereupon have power to order such agreement to be given up to be cancelled, and may direct the costs, fees, charges, and disbursements incurred or chargeable in respect of the matters included therein to be taxed in the same manner and according to the same rules as if such agreement had not been made; and the court or judge may also make such order as to the costs of and relating to such motion or petition, and the proceedings thereon, as to the said court or judge may seem fit.

Agreements may be re-opened after payment in special cases.

10. When the amount agreed for under any such agreement has been paid by or on behalf of the client, or by any person chargeable with or entitled to pay the same, any court or judge having jurisdiction to examine and enforce such an agreement may, upon application by the person who has paid such amount, within twelve months after the payment thereof, if it appears to such court or judge that the special circum-

stances of the case require the agreement to be re-opened, re-open the same, and order the costs, fees, charges, and disbursements to be taxed, and the whole or any portion of the amount received by the attorney or solicitor to be repaid by him, on such terms and conditions as to the court or judge may seem just.

Where any such agreement is made by the client in the capacity of guardian, or of trustee under a deed or will, or of committee of any person or persons whose estate or property will be chargeable with the amount payable under such agreement, or with any part of such amount, the agreement shall before payment be laid before the taxing officer of a court having jurisdiction to enforce the agreement, and such officer shall examine the same, and may disallow any part thereof, or may require the direction of the court or a judge to be taken thereon by motion or petition; and if in any such case the client pay the whole or any part of the amount payable under the agreement, without the previous allowance of such officer or court or judge as aforesaid, he shall be liable at any time to account to the person whose estate or property is charged with the amount paid, or with any part thereof for the amount so charged; and if in any such case the attorney or solicitor accept payment without such allowance, any court which would have had jurisdiction to enforce the agreement may, if it think fit, order him to refund the amount so received by him under the agreement.

Prohibition of certain stipulations.

11. Nothing in this Act contained shall be construed to give validity to any purchase by an attorney or solicitor of the interest, or any part of the interest, of his client in any suit, action, or other contentious proceeding to be brought or maintained, or to give validity to any agreement by which an attorney or solicitor retained or employed to prosecute any suit or action, stipulates for payment only in the event of success in such suit, action, or proceeding.

Not to give validity to contracts, &c. which may be void in bankruptcy.

12. Nothing in this Act contained shall give validity to any disposition, contract, settlement, conveyance, delivery, dealing, or transfer, which may be void or invalid against a trustee or creditor in bankruptcy, arrangement, or composition, under the provisions of the laws relating to bankruptcy.

Provision in case of death or incapacity of the attorney.

13. Where an attorney or solicitor has made an agreement with his client in pursuance of the provisions of this Act, and anything has been done by such attorney or solicitor under the agreement, and before the agreement has been completely performed by him, such attorney or solicitor dies or becomes incapable to act, an application may be made to any court which would have jurisdiction to examine and enforce the agreement by any party thereto, or by the representatives of any such party, and such court shall thereupon have the same power to enforce or set aside such agreement, so far as the same may have been acted upon, as if such death or incapacity had not happened; and such court, if it shall deem the agree-

ment to be in all respects fair and reasonable, may order the amount due in respect of the past performance of the agreement to be ascertained by taxation, and the taxing officer in ascertaining such amount shall have regard so far as may be to the terms of the agreement, and payment of the amount found to be due may be enforced in the same manner as if the agreement had been completely performed by the attorney or solicitor.

As to change of attorney after agreement.

14. If, after any such agreement as aforesaid shall have been made, the client shall change his attorney or solicitor before the conclusion of the business to which such agreement shall relate (which he shall be at liberty to do notwithstanding such agreement), the attorney or solicitor, party to such agreement, shall be deemed to have become incapable to act under the same within the meaning of section thirteen of this Act, and upon any order being made for taxation of the amount due to such attorney or solicitor in respect of the past performance of such agreement, the court shall direct the taxing master to have regard to the circumstance under which such change of attorney or solicitor has taken place; and, upon such taxation, the attorney or solicitor shall not be deemed entitled to the full amount of the remuneration agreed to be paid to him unless it shall appear that there has been no default, negligence, improper delay, or other conduct on his part affording reasonable ground to the client for such change of attorney or solicitor.

Agreements shall be exempt from taxation.

15. Except as in this part of this Act provided, the bill of an attorney or solicitor for the amount due under an agreement made in pursuance of the provisions of this Act shall not be subject to any taxation, nor to the provisions of the Act of the sixth and seventh Victoria, chapter seventy-three, and the Acts amending the same respecting the signing and delivery of the bill of an attorney or solicitor.

PART II.—*General Provisions.*

Security may be taken for future costs.

16. An attorney or solicitor may take security from his client for his future fees, charges, and disbursements, to be ascertained by taxation or otherwise.

Interest may be allowed on taxations in respect of disbursements and advances.

17. Subject to any general rules or orders hereafter to be made upon every taxation of costs, fees, charges, or disbursements, the taxing officer may allow interest at such rate and from such time as he thinks just on moneys disbursed by the attorney or solicitor for his client, and on moneys of the client in the hands of the attorney or solicitor, and improperly retained by him.

Taking officer to have regard to character of services.

18. Upon any taxation of costs, the taxing officer may, in determining the remuneration, if any, to be allowed to the attorney or solicitor for his services, have regard, subject to any general rules or orders hereafter to be made, to the skill, labour, and responsibility involved.

Revival of order for payment of costs.

19. Whenever any decree or order shall have been made for payment of costs in any suit, and such suit shall afterwards become abated, it shall be lawful for any person interested under such decree or order to revive such suit, and thereupon to prosecute and enforce such decree or order, and so on from time to time as often as any such abatement shall happen.

Power to attorneys, &c. to perform acts as appertain to office of proctor.

20. From and after the passing of this Act, it shall be lawful for an attorney or solicitor to perform all such acts as appertain solely to the office of a proctor, in any Ecclesiastical Court other than the Provincial Courts of the Archbishops of Canterbury and of York, and the Diocesan Court of the Bishop of London, without incurring any forfeiture or penalty, and to make the same charges which a proctor would be entitled to make, and to recover the same, any enactment or enactments to the contrary notwithstanding.

CHAP. 29.

An Act to amend and continue "The Wine and Beerhouse Act, 1869." [14th July 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Wine and Beerhouse Act Amendment Act, 1870."

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Interpretation of terms.

3. In this Act the words "the principal Act" mean the Wine and Beerhouse Act, 1869, and the word "sweets" includes sweets, made wines, mead, and metheglin.

Amendment of provisions of principal Act as to grants, durations, and transmissions of certificates.

4. The provisions of the principal Act, with reference to the grant, duration, and transmission of certificates, shall be amended as follows; (that is to say,)

(1.) The seventh section of the principal Act shall be read as if for the words "constable or peace officer acting "within such parish, township, or place," there were substituted the words "the superintendent of police "of the district," and the notice required by that section to be given to any overseer or constable may be served by a registered letter through the post:

(2.) Where a certificate is now required to be signed by a majority of justices, it shall be sufficient if, instead of such signature, the concurrence of such majority be signified by means of an impression from an official seal or stamp, in such form as the justices may direct, affixed in the presence of the justices in sessions assembled, and verified in the case of each certificate by the signature of their clerk. Any seal purporting

to be so affixed and verified shall be received in evidence without further proof; and if any unauthorised person imitate or affix an impression of such seal on any certificate or imitation of a certificate, or knowingly use a certificate or imitation of a certificate falsely purporting to be sealed in pursuance of this section, he shall be guilty of forgery:

(3.) For every certificate granted by way of renewal under the principal Act or this Act, there shall be payable to the clerk of the justices the sum of four shillings for all matters to be done by such clerk, and one shilling for the constable or officer for service of notices; and if any clerk of justices demand or receive any greater or further fee or payment in respect of any such renewal, whether for himself or for any other officer or person, he shall, upon summary conviction, be liable to a penalty of five pounds:

(4.) It shall be in the discretion of the justices to whom an application for a transfer is made, either to allow or refuse the application, or to adjourn the consideration thereof:

(5.) The proviso of the fifth section of the principal Act and the ninth section of the principal Act shall be repealed, and, subject to the provisions of this section, all the provisions of the Act of the ninth year of George the Fourth, chapter sixty-one, and Acts amending the same, relating to the time for which justices' licences are to be in force, and relating to the fees payable for such licences, and relating to the transfer, removal, and transmission of such licences, and the grant of licences upon assignment, death, change of occupancy, or other contingency, and relating to copies of such licences, and relating to grants or transfers of such licences without the attendance of an applicant who is hindered by sickness, infirmity, or other reasonable cause, shall have effect with regard to certificates granted or to be granted under the principal Act and this Act.

Provisions as to convictions against the principal Act and this Act.

5. The provisions of the seventeenth and nineteenth sections of the principal Act as to convictions shall extend to convictions for offences against the principal Act or this Act: Provided always, that the period of three years shall be substituted for the period of five years named in clause seventeen of the said Act.

Provision as to certain offences.

6. Where by the principal Act, or any other Act or Acts, a person licensed to retail beer, cider, or wine, not to be consumed on the premises, is subject to any penalty or forfeiture for taking, or for authorising or suffering to be taken, any beer, cider, or wine out of such premises for the purpose of being for his benefit or profit drunk or consumed on or in other

premises or places with intent to evade the provisions of any Act, or the conditions of his licence, he shall be subject to the like penalties and forfeitures for taking, or authorising or suffering to be taken, any beer, cider, or wine out of his premises for the purpose of being for his benefit or profit drunk or consumed on or in any place, whether enclosed or not, and whether or not a public thoroughfare, with intent to evade the provisions of any such Act or the conditions of his licence.

The fifteenth section of the principal Act shall be read as if after the word "house" there were inserted the words "by "any person other than a servant or inmate of such house."

The sixteenth section of the principal Act shall be read as if for the words "convicted of keeping his house open," there were substituted the words "convicted of opening or of keeping "open his house."

Any constable or officer of police who finds any person present in a house licensed for the sale of any exciseable or distilled or fermented liquor at a time when such house is by law required to be closed, may demand the name and address of such person; and if any such person when so required refuse to give his name and address, or give a false name or address, he shall be liable on summary conviction to a penalty not exceeding forty shillings; and any person who when so required refuses or neglects to give his name or address, may be apprehended by such constable or officer, and detained until he can be carried before a justice of the peace.

Provision as to existing licences.

7. The nineteenth section of the principal Act shall extend to licences granted by way of renewal from time to time of licences in force on the first day of May one thousand eight hundred and sixty-nine, whether such licences continue to be held by the same person or have been or may be transferred to any other person or persons.

The second and third provisoes of the said nineteenth section of the principal Act shall be read as if production of the certificate and record of convictions on the certificate were therein referred to instead of production of the licence and record of convictions on the licence, and as if for the expressions "two justices" and "justices" respectively, there were substituted the words "justice or justices."

Where a conviction is recorded on a certificate, in pursuance of the principal Act as amended by this Act, the clerk to the convicting justices shall also make and keep a record of such conviction, and of the fact that it has been recorded on the certificate.

Where a conviction of any person has, before the passing of this Act, been recorded on a licence in pursuance of the principal Act, or on a certificate in pursuance of this Act, the justices to whom such person applies for a renewal of his certificate shall cause such conviction to be recorded on the renewed certificate.

Any record of a conviction upon a licence or certificate, and also any copy of a record of a conviction made or kept by a clerk to the convicting justices, if such copy purport to be signed by the clerk by whom the record was made or is kept, shall for all purposes be sufficient evidence of such conviction, and of the fact that it was recorded on the licence or certificate.

Regulation as to closing of houses, &c.

8. Where any person is required by law to close any house or place for the sale or consumption in any manner of any exciseable, distilled, or fermented liquor during any days or times, subject in case of default to any penalties, he shall, subject in case of default to the like penalties, close such house or place during the same days or times for the sale or consumption of all other liquors, and of all articles whatsoever, notwithstanding any Act, law, licence, or certificate under authority whereof he might otherwise keep open such house or place for the sale or consumption of any such other liquor or article.

Avoidance of licences upon refusal to renew certificate.

9. Where renewal of any certificate granted under the principal Act is refused, any licence held under authority thereof shall, if the person aggrieved do not give notice of appeal with the requisite security in that behalf within the time limited for such notice, or if such notice having been given the appeal be not prosecuted or be dismissed, become void to all intents from the time of such failure to give notice of or to prosecute the appeal or of such dismissal, as the case may be: Provided that where the excise licence shall expire before the appeal has been heard and determined, the appellant shall be permitted to carry on and exercise the trade or business on such terms as the Commissioners of Inland Revenue shall direct until the appeal shall have been heard and determined or withdrawn, and no longer.

As to beer dealer's additional retail licence.

10. A certificate for an additional licence to the holder of a strong beer dealer's licence to retail beer under the provisions of the twenty-sixth and twenty-seventh of Her Majesty, chapter thirty-three, shall not after the passing of this Act, except by way of renewal from time to time of a certificate in force at the time of the passing of this Act, be granted unless upon the like proof of qualification according to rating as is required in the case of licences to retail beer for consumption on the premises under the provisions of the Acts recited in the principal Act for permitting the general sale of beer and cider by retail in England.

Power to justices to postpone applications for renewals.

11. Where any applicant for the grant or renewal of a certificate has, through inadvertence or misadventure, failed to comply with any of the preliminary requirements of the principal Act or this Act, or any Act incorporated therewith, the justices may, if they shall so think fit, and upon such terms as they think proper, postpone the consideration of the application to an adjourned meeting, and if at such adjourned meeting the justices shall be satisfied that such terms have

been complied with, they may proceed to grant or withhold such certificate as if the preliminary requirements of the principal Act had been complied with.

Limit of mitigation of penalties.

12. Where any person holding a certificate under the principal Act is convicted of any offence against the said Act or this Act, or against any of the Acts recited or mentioned in the principal Act, or against the tenor or conditions of any licence held by him under a certificate granted in pursuance of the principal Act, it shall not be lawful for the justices before whom he is convicted to mitigate or reduce the penalty for such offence to a less sum than twenty shillings: Provided that nothing herein contained shall extend to authorise the mitigation or reduction of any penalty, whether of excise or police, to a less sum than the minimum to which the same may, under the provisions of any other Acts be mitigated or reduced.

Houses licensed to retail sweets.

13. All the provisions of the Act of the eighteenth and nineteenth of Her Majesty, chapter one hundred and eighteen, for authorising the entry by constables into houses or places of public resort for the sale of fermented or distilled liquors, shall extend to authorise such entry on all days and at any time into any house or place in which any person sells exciseable liquors or sweets by retail under any licence in that behalf, whether the same are sold for consumption on the premises or otherwise.

Persons convicted of felony disqualified from selling spirits by retail.

14. Every person convicted of felony shall for ever be disqualified from selling spirits by retail, and no licence to sell spirits by retail shall be granted to any person who shall have been so convicted as aforesaid; and if any person shall, after having been so convicted as aforesaid, take out or have any licence to sell spirits by retail, the same shall be void to all intents and purposes; and every person who, after being so convicted as aforesaid, shall sell any spirits by retail in any manner whatever shall incur the penalty for doing so without a licence.

Visitation of suspected houses.

15. Where an information on oath is made before any justice of the peace that there is reasonable ground for believing that any fermented, distilled, or exciseable liquors or sweets are being unlawfully sold or kept for sale at any premises or place for the retail whereat of fermented, distilled, or exciseable liquors or sweets no licence is in force, such justice may in his discretion grant a warrant under his hand to any superintendent, inspector, sergeant, or other officer or officers of police, by virtue whereof it shall be lawful for the officer or officers named in the warrant at any time or times within one month from the date thereof to enter, and if need be by force, the premises or place named in the warrant, and every part thereof, and to search for and seize any fermented, distilled, or exciseable liquors or sweets there found which there is reasonable ground to suppose are in such premises or place for the purpose of unlawful sale at such or any other

premises or place; and if any person, by himself or by any other person acting by or with his direction, permission, or consent, refuse or neglect to admit to any part of any such premises or place any officer or person demanding admittance in pursuance of the provisions of this section, he shall be liable upon summary conviction to a penalty not exceeding twenty pounds.

Any liquor seized in pursuance of the provisions of this section shall be sold in such manner as two justices in petty sessions may direct, and the proceeds shall be applied in the same manner as penalties summarily imposed by the same justices for sale without a licence might be applied.

Sect. 6. of 5 G. 4. c. 54., sect. 2. of 6 G. 4. c. 81., and sect. 6. of 13 & 14 Vict. c. 67., so far as relates to brewers' retail licences, repealed.

16. From the passing of this Act so much of the Acts of the fifth of George the Fourth, chapter fifty-four, sixth George the Fourth, chapter eighty-one, and thirteenth and fourteenth of Her Majesty, chapter sixty-seven, as authorises the grant to brewers of beer of brewers' licences to retail beer not to be consumed on the premises where sold, shall be repealed, and no such licence shall be granted after the passing of this Act, whether to a new applicant or by way of renewal: Provided that a person who at the passing of this Act holds any such licence shall continue to be subject to all the like regulations and conditions, so long as such licence remains in force, and shall be subject to the like penalties for breach of any such regulations and conditions committed while such licence remains in force as if this Act had not been passed.

Duration of the principal Act and of this Act.

17. The principal Act shall be continued and be in force, and this Act shall be in force for two years from the date of the passing of this Act, and until the end of the then next session of Parliament.

CHAP. 30.

An Act to abolish Attachment of Wages.

[14th July 1870.]

WHEREAS by an Order in Council made on the eighteenth day of November one thousand eight hundred and sixty-seven, certain of the provisions of "The Common Law Procedure Act, 1854," were extended and applied to all the Courts of Record established under the provisions of "The County Courts Act, 1846," and also to the City of London Courts of Record as constituted by "The County Courts Act, 1867:"

And whereas much inconvenience has arisen by the attachment of wages to satisfy judgments recovered in some of such first-mentioned Courts, and it is expedient to prevent the attachment of wages to satisfy judgments recovered in any Court of Record or inferior Court:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

No order of attachment of wages after passing of Act.

1. That after the passing of this Act no order for the attachment of the wages of any servant, labourer, or workman shall be made by the judge of any Court of Record or inferior Court.

Short title.

2. That this Act may be cited as "The Wages Attachment Abolition Act, 1870."

CHAP. 31.

An Act to apply the sum of nine million pounds out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-one. [1st August 1870.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

There may be applied for the service of the year ending 31st March 1871 the sum of 9,000,000*l.* out of the Consolidated Fund.

1. There may be issued and applied, for or towards making good the supply granted to Her Majesty for the service of the year ending on the 31st day of March one thousand eight hundred and seventy-one, the sum of nine million pounds out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and the Commissioners of Her Majesty's Treasury for the time being are hereby authorised and empowered to issue and apply the same accordingly.

Treasury may borrow 9,000,000*l.* on the credit of this Act.

2. The Commissioners of the Treasury may borrow upon the credit of the sum granted by this Act out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland an amount not exceeding in the whole the sum of nine million pounds, and such amount may be borrowed by the said Commissioners from time to time, in such sums as may be required for the public service, and shall be placed to the credit of the account of Her Majesty's Exchequer at the Bank of England, and be available to satisfy any orders for credits granted or to be granted on the said account, under the provisions of the "Exchequer and Audit Departments Act, 1866."

Interest on moneys borrowed.

3. The sums borrowed from time to time under the authority of this Act shall bear interest not exceeding the rate of five pounds per centum per annum, and the principal and

interest of all such sums shall be paid out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said sums shall have been borrowed.

CHAP. 32.

An Act to grant certain Duties of Customs and Inland Revenue, and to repeal and alter other Duties of Customs and Inland Revenue. [1st August 1870.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Customs and Inland Revenue Act, 1870."

PART I.

AS TO CUSTOMS.

Grant of duties of customs in schedule (A.)

2. There shall be charged, collected, and paid, for the use of Her Majesty, her heirs and successors, the duties of customs specified in schedule (A.) to this Act, and there shall be allowed the several drawbacks specified in the said schedule; and all the provisions contained in any Act relating to customs duties, and drawbacks, and in force at the time of the passing of this Act, shall, so far as the same are applicable, have full force and effect with respect to the said duties and drawbacks of customs granted and allowed by this Act.

PART II.

AS TO EXCISE.

Repeal and Modification of certain Duties.

Repeal of certain duties of excise, viz.:

3. The duties of excise specified in this section shall cease to be payable on the several days herein-after mentioned; that is to say,

On the first day of October one thousand eight hundred and seventy,—

Licenses to foot hawkers in Great Britain.

The duty of two pounds upon the license to be taken out by every hawker, pedlar, petty chapman, and other trading person who shall travel and trade on foot in Great Britain without any horse or other beast bearing or drawing

burthen, and shall carry his goods, wares, or merchandise to and sell or expose for sale the same at other men's houses only, and not in or at any house, shop, room, booth, stall, or other place whatever belonging to or hired or occupied or used by him for that purpose in any town to which he may travel:

Licenses to foot hawkers in Ireland.

The duty of two pounds and two shillings upon a license to a person exercising the trade or calling of a hawker, pedlar, petty chapman, or other trading person going from place to place in Ireland, carrying to sell or exposing to sale any goods, wares, or merchandise, and travelling on foot with or without a servant or other person, employed in carrying goods of any such hawker, pedlar, or petty chapman, but without a horse or other beast of burthen.

On the sixth day of July one thousand eight hundred and seventy,—

Licenses to paper makers:

The duty upon a license to a maker of paper, pasteboard, or scaleboard;

soap makers:

The duty upon a license to a maker of soap for sale;

still makers in Scotland and Ireland:

The duty upon a license to a maker of stills in Scotland and Ireland.

On the second day of September one thousand eight hundred and seventy,—

vendors of playing cards.

The duty of two shillings and sixpence upon a license to be taken out by any person who shall sell playing cards, not being a maker thereof;

but the enactments relating to the said duties respectively shall remain in full force and effect as to any duties which shall be owing or in arrear on the said days respectively, and also as to any offences which shall have been committed against any of the said enactments previous to the said days respectively.

Plate license not necessary for the sale of watch cases.

4. On and after the sixth day of July one thousand eight hundred and seventy, it shall not be necessary for any person to take out a license as a dealer in plate, in order to enable him to sell watch cases which shall have been made by him.

Auctioneers license not necessary for sale of fish on the sea-shore.

5. From and after the passing of this Act, it shall not be necessary for any person to take out an excise license as an auctioneer, in order to enable him to sell fish by auction upon the sea-shore where the same shall have been first landed.

Germinating Grain for Animals.

Farmers may steep and germinate grain to be consumed by animals.

6. It shall be lawful for any farmer in Great Britain to germinate grain to be consumed by animals under the following conditions; that is to say,—

1. He shall deliver to the officer of excise of the district a notice in writing describing the particular building or place, or buildings or places, in which he intends to steep and germinate and in which he intends to keep the grain when steeped and germinated:

2. Every such building or place shall be situate on the farm upon which the grain is to be consumed, and at a distance of a quarter of a mile at least from any malthouse, and from any kiln upon which malt or grain could be dried, or, if not so situated, shall be otherwise situate to the satisfaction of the Commissioners of Inland Revenue:
3. Every such building or place shall at all times be open to the inspection of any officer of excise:
4. The grain, after being steeped or germinated, shall not be dried or ground or crushed in any manner whatsoever:
5. The grain shall be wholly consumed by animals on the farm upon which it shall have been steeped and germinated.

Penalty for infringing the provisions of this section.

If any person shall germinate any grain, or shall keep or have in his custody or possession any germinated grain, otherwise than as allowed by this section, or shall prevent or hinder any officer of excise from inspecting any building or place used or entered by him for the purpose of steeping and germinating grain, or used or entered by him for the purpose of keeping grain when steeped and germinated; or shall dry, grind, or crush, or permit or suffer to be dried, ground, or crushed, any steeped or germinated grain, contrary to the provisions of this section; or shall use or consume, or permit or suffer to be used or consumed, any steeped and germinated grain, otherwise than as directed by this section, he shall forfeit all such grain and the penalty of one hundred pounds; and every person who shall be convicted of any of the offences aforesaid shall be incapable after such conviction of steeping and germinating grain under the provisions of this section.

Grant of Duties.

Grant of duties of excise in schedule (B.)

7. There shall be charged, collected, and paid, for the use of Her Majesty, her heirs and successors, the duties of excise specified in schedule (B.) to this Act; and all the provisions contained in any Act relating to excise duties, and in force at the time of the passing of this Act, shall, so far as the same are applicable, have full force and effect with respect to the said duties of excise granted by this Act.

Sugar used in brewing.

Provisions to be observed in relation to the use of sugar in brewing.

8. In addition to any enactments now in force in relation to sugar to be used by brewers of beer for sale in the brewing and making of beer, the following provisions shall have effect in relation to sugar so to be used:—

1. The brewer shall on the first day of October one thousand eight hundred and seventy enter in a book or paper to be provided by the Commissioners of Inland Revenue an account in pounds weight avoirdupois of the quantity of sugar then in his possession, and from time to time

a like account of every quantity of sugar subsequently received by him, and he shall make such entry on the day on which he shall receive the sugar:

2. The brewer shall keep the said book or paper at all times in some public and open part of his entered premises ready for the inspection of the officers of excise, and he shall permit any officer of excise at any time to inspect the said book or paper, and to make any entry therein or extract therefrom, and also to take away the said book or paper, upon leaving another for the use of the brewer:

3. The brewer shall not receive any sugar except in a package containing two hundredweight of sugar at the least, unless the sugar shall be contained in the package in which it shall have been imported into the United Kingdom, and shall be in the same state as when imported:

4. The brewer shall not receive any sugar unless accompanied by an invoice or delivery note specifying the quantity and the true name and address of the person from whom the sugar shall have been purchased:

5. The brewer shall produce and deliver to the officer of excise who shall first survey or visit his brewery after the receipt of any sugar, the invoice or delivery note which shall have accompanied such sugar, and he shall allow the officer to retain the said invoice or delivery note so long as may be necessary to enable him to compare the same with the book or paper in which the account of the sugar is required to be entered:

6. The brewer shall deposit all sugar received by him, immediately upon the receipt thereof, in the proper place entered by him for keeping or storing sugar, and shall keep the same therein, separate and apart from all other sugar, for the period of twenty-four hours from the time when such sugar shall have been so deposited, unless such sugar shall have been previously examined by an officer of excise:

7. The brewer shall permit any officer of excise at any time to take an account of the sugar in his possession, or any part thereof, and shall furnish the officer taking such account with proper scales and weights, and with such assistance as may be necessary to enable him conveniently to take such account:

8. The brewer shall not remove any sugar from his brewery, nor dispose thereof in any manner other than by dissolving the same in the mash tun or other vessel duly entered with the proper officer of excise for that purpose:

9. The brewer shall permit any officer of excise to gauge any wort or solution made from sugar, and also to take a sample or samples from such wort or solution,

and if upon examination of the sample or samples it shall be found that the wort or solution contained an amount of sugar exceeding the quantity used in making such wort or solution, according to the entry made by the brewer in the proper book or paper provided for that purpose, such amount to be ascertained according to a table to be approved by the Commissioners of Inland Revenue for showing the quantity of sugar contained in any given quantity of wort or solution, according to the specific gravity thereof as ascertained by any saccharometer ordered to be used by the said Commissioners, the brewer shall be deemed to have committed an offence against this section; provided that it shall not be necessary on the trial of any information or other proceeding, to produce or give in evidence any order of the said Commissioners approving such table, or ordering the use of any saccharometer.

For any offence against this section the brewer shall forfeit the penalty of one hundred pounds.

A penalty of double duty to be paid upon any deficiency exceeding 2 per cent. found on taking the stock of sugar at a brewery.

9. The proper officer of excise shall keep a stock account of the sugar received and used by a brewer of beer for sale for brewing and making beer, and shall debit the brewer with the quantity of sugar received, and shall credit him with the quantities used in brewing, and if upon taking the stock at any time any officer of excise shall find that the quantity of sugar remaining in the possession of the brewer shall be less than it ought to be, the deficiency shall be deemed to have been used in the brewing and making of beer, and the brewer shall forfeit, over and above any other penalty to which he may be liable, a penalty of double the amount of duty on such deficiency according to the rate of excise duty payable on sugar used in the brewing and making of beer at the time such deficiency shall be found, but the said penalty of double duty shall not be incurred if the deficiency shall be less than a quantity equal to two per cent. upon the balance remaining at the last preceding stock taking added to the quantities subsequently received: Provided always, that in taking the account of the stock of sugar in the possession of a brewer the weight that shall at any time have been marked upon any package of sugar by any officer of customs or excise shall be deemed to be the true weight, unless such package shall have since undergone some alteration, or the officer of excise who shall take the stock shall be dissatisfied with the weight so marked.

Brewer to enter the quantity of malt and sugar intended to be used in brewing 2 hours before mashing and

10. Whereas by the laws in force every brewer of beer for sale is required to enter in the book or paper provided for the purpose of his entering therein the quantity of malt and sugar intended to be used by him in the brewing of beer the particular hour of the day at which he intends to mash any malt or to dissolve any sugar: Be it enacted, that every such

dissolving the same.

brewer shall also enter in the said book or paper the respective quantities of the malt and sugar intended to be used two hours at the least before the particular hour which he shall have entered in the said book or paper as the hour at which he intends to mash the malt or to dissolve the sugar, under the like penalty for any refusal or neglect to make such entry as is hereby directed to be made in such book or paper, or for cancelling, obliterating, or altering the same, as by the laws in force such brewer is subject and liable to for any refusal or neglect to make any other entry therein, or for cancelling, obliterating, or altering any such other entry.

Horses kept for Husbandry.

Horses kept for husbandry. 32 & 33 Vict. c. 14.

11. Whereas doubts have arisen with respect to the liability of horses or mules kept solely for the purpose of husbandry to duty, be it enacted that from and after the passing of this Act no person shall be required to take out a license under the Act of the thirty-second and thirty-third years of the reign of Her present Majesty, chapter fourteen, for any horse or mule kept by him solely for the purpose of husbandry, on account of such horse or mule being used or employed in drawing materials for the repair of roads and highways of the parish of which he is a rated occupier, and whether for hire or otherwise.

PART III.

AS TO STAMP DUTIES.

Duties on newspapers to cease.

12. On the first day of October one thousand eight hundred and seventy the stamp duties on newspapers shall cease and determine.

Reduction of duty on certain policies of insurance.

13. On the first day of July one thousand eight hundred and seventy the stamp duties on policies of insurance under the tenth section of the Act passed in the twenty-eighth and twenty-ninth years of Her Majesty's reign, chapter ninety-six, shall cease and determine, and in lieu thereof, on and after the first day of July one thousand eight hundred and seventy, there shall be charged and paid upon and for every policy of insurance, for any payment agreed to be made upon the death of any person, only from accident or violence, or otherwise than from a natural cause, or as compensation for personal injury, or by way of indemnity against loss or damage of or to any property, a stamp duty of one penny.

PART IV.

AS TO INCOME TAX.

Grant of duties of income tax specified in schedule.

14. There shall be charged, collected, and paid, for the use of Her Majesty, her heirs and successors, the duties of income tax specified in schedule (C.) to this Act; and all such provisions contained in any Act relating to the duties of income tax as were in force on the fifth day of April one thousand eight hundred and seventy, and are not repealed by this Act,

shall have full force and effect with respect to the said duties of income tax granted by this Act, so far as the same shall be consistent with the provisions of this Act; and for the purposes of this Act the year one thousand eight hundred and sixty-two mentioned in the forty-third section of the Act passed in the twenty-fifth year of Her Majesty's reign, chapter twenty-two, shall be read as and deemed to mean the year one thousand eight hundred and seventy.

Repeal of provisions in 32 & 33 Vict. c. 14. ss. 6. 7.

15. The provisions contained in the sixth and seventh sections of the Act passed in the thirty-second and thirty-third years of Her Majesty's reign, chapter fourteen, are hereby repealed.

PART V.

AS TO DUTIES ON INHABITED HOUSES.

Poundage to be divided between assessors and collectors.

16. The poundage now payable to collectors in respect of the amount of the duties on inhabited houses collected and paid to the proper officer for receipt shall be divided in each separate collection between the assessors and collectors in equal proportions.

SCHEDULE (A.)

Containing the Duties of Customs granted by this Act.

On and after the under-mentioned dates, in lieu of the duties of customs now charged on the articles under mentioned, the following duties of customs shall be charged thereon, on importation into Great Britain or Ireland, viz.:—

On and after the second day of May one thousand eight hundred and seventy:—

		£	s.	d.
Sugar, viz.:—				
Candy, brown or white, refined sugar, or sugar rendered by any process equal in quality thereto, and manufactures of refined sugar	the cwt.	0	6	0

On and after the thirteenth day of April one thousand eight hundred and seventy:—

Sugar not equal to refined:—				
First class	the cwt.	0	5	8
Second class	„	0	5	3
Third class	„	0	4	9
Fourth class, including cane juice	„	0	4	0
Molasses	„	0	1	9
Almonds, paste of	„	0	4	8
Cherries, dried	„	0	4	8
Comfits, dry	„	0	4	8
Confectionery, not otherwise enumerated	„	0	4	8
Ginger, preserved	„	0	4	8
Marmalade	„	0	4	8
Succades, including all fruits and vegetables preserved in sugar, not otherwise enumerated	„	0	4	8

And the said duties shall be paid on the weights ascertained at landing.

On and after the under-mentioned dates, in lieu of the drawbacks now allowed on the under-mentioned descriptions of sugar refined in Great Britain or Ireland, on the exportation thereof to foreign parts, or on removal to the Isle of Man for consumption there, or on deposit in any approved warehouse, upon such terms and subject to such regulations as the Commissioners of Customs may direct for delivery from such warehouse as ships stores only, or for the purpose of sweetening British spirits in bond, the following drawbacks shall be paid and allowed; (that is to say,)

On and after the second day of May one thousand eight hundred and seventy:—

	£	s.	d.
Upon refined sugar in loaf, complete and whole, or lumps duly refined, having been perfectly clarified and thoroughly dried in the stove, and being of an uniform whiteness throughout, and upon such sugar pounded, crushed, or broken in a warehouse approved by the Commissioners of Customs, such sugar having been there first inspected by the officers of customs in lumps or loaves as if for immediate shipment, and then packed for exportation in the presence of such officers, and at the expense of the exporter; and upon candy - - - for every cwt.	0	6	0
Upon refined sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the export standard sample No. 2, approved by the Lords of the Treasury, and which shall not contain more than five per centum of moisture over and above what the same would contain if thoroughly dried in the stove - for every cwt.	0	5	9

And on and after the thirteenth day of April one thousand eight hundred and seventy:—

Upon sugar refined by the centrifugal or by any other process, and not in any way inferior to the export standard sample No. 1, approved by the Lords of the Treasury - for every cwt.	0	6	0
Upon other refined sugar unstoved, being bastards or pieces, ground, powdered, or crushed:			
——— Not in any way inferior to the export standard sample No. 3, approved by the Lords of the Treasury for every cwt.	0	5	8
——— Not in any way inferior to the export standard sample No. 4, approved by the Lords of the Treasury for every cwt.	0	5	3
——— Not in any way inferior to the export standard sample No. 5, approved by the Lords of the Treasury for every cwt.	0	4	9
——— Inferior to the above last-mentioned standard sample - for every cwt.	0	4	0

From and after the passing of this Act, in lieu of the duties of customs now charged on the articles under mentioned, the following

duties of customs shall be charged thereon upon the importation thereof into Great Britain or Ireland, viz.:—

		£	s.	d.
Perfumed spirits and Cologne water, being mixed with any article so that the degree of strength cannot be ascertained by Sykes' hydrometer	the gallon	0	16	6

The duties of customs now charged on tea shall continue to be levied and charged on and after the first day of August one thousand eight hundred and seventy, until the first day of August one thousand eight hundred and seventy-one, on importation into Great Britain or Ireland; that is to say,—

Tea	the lb.	0	0	6

SCHEDULE (B.)

Containing the Duties of Excise granted by this Act.

In lieu of the duties of excise now chargeable on sugar made in the United Kingdom, the following duties of excise shall be charged thereon; that is to say,

On and after the second day of May one thousand eight hundred and seventy:—

		£	s.	d.
Candy, brown or white, refined sugar, or sugar rendered by any process equal in quality thereto, and manufactures of refined sugar	the cwt.	0	6	0

On and after the thirteenth day of April one thousand eight hundred and seventy:—

Sugar not equal to refined:—

First class	the cwt.	0	5	8
Second class	„	0	5	3
Third class	„	0	4	9
Fourth class	„	0	4	0
Molasses	„	0	1	9

In lieu of the duty of excise now chargeable upon sugar used in brewing, there shall be charged, on and after the thirteenth day of April one thousand eight hundred and seventy, upon every hundredweight, and in proportion for any fractional part of a hundredweight, of all sugar which shall be used by any brewer of beer for sale in the brewing or making of beer, the excise duty of 7*s.* 6*d.*

SCHEDULE (C.)

Containing the Duties of Income Tax granted by this Act.

For one year, commencing on the sixth day of April one thousand eight hundred and seventy, for and in respect of all property, profits, and gains mentioned or described as chargeable in the Act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, for granting to Her Majesty duties on profits arising from property, professions, trades, and offices, the following duties shall be charged; (that is to say,)

For every twenty shillings of the annual value or amount of all such property, profits, and gains, (except those chargeable under schedule (B.) of the said Act,) the duty of fourpence.

And for and in respect of the occupation of lands, tenements, hereditaments, and heritages, chargeable under schedule (B.) of the said Act, for every twenty shillings of the annual value thereof:—

In England, the duty of twopence, and in Scotland and Ireland respectively the duty of one penny halfpenny.

Subject to the provisions contained in section 3 of the Act 26 Victoria, chapter 22, for the exemption of persons whose whole income from every source is under 100*l.* a year, and relief of those whose income is under 200*l.* a year.

CHAP. 33.

An Act to amend the Acts relating to the Export of unseasonable Salmon. [1st August 1870.]

WHEREAS by the third section of "The Salmon Acts Amendment Act, 1863," it is amongst other things provided that "the burden of proving that any salmon entered "for exportation from any part of the United Kingdom to "parts beyond the seas between the third day of September "and the second day of February following is not so entered "in contravention of the said Act shall lie on the person "entering the same for exportation:"

And whereas it is expedient to make further provision for preventing the exportation of salmon that cannot legally be sold within the limits of the United Kingdom:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Salmon Acts Amendment Act, 1870."

Commencement of Act.

2. This Act shall not come into operation before the third day of September one thousand eight hundred and seventy, which day is herein-after referred to as "the commencement "of this Act."

Amendment of sect. 3. of 26 Vict. c. 10.

3. From and after the commencement of this Act the said third section of "The Salmon Acts Amendment Act, 1863," shall be read and construed as if the words "second day of February" were omitted therefrom and the words "thirtieth day of April" were inserted instead of the said omitted words.

Amendment of sect. 65. of 28 & 29 Vict. c. 121.

4. The sixty-fifth section of "The Salmon Fishery Act, 1865," shall be read and construed as if the words "second day of February" were omitted therefrom and the words "thirtieth day of April" were inserted instead of the said omitted words.

CHAP. 34.

An Act to amend the Law as to the Investment on Real Securities of Trust Funds held for public and charitable purposes. [1st August 1870.]

WHEREAS it is expedient to amend the law relating to the investment on real securities of trust funds held for public and charitable purposes:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Corporations and trustees holding money in trust for any public or charitable purpose may invest the same in real securities.

1. It shall be lawful for all corporations and trustees in the United Kingdom holding moneys in trust for any public or charitable purpose to invest such moneys on any real security authorised by or consistent with the trusts on which such moneys are held, without being deemed thereby to have acquired or become possessed of any land within the meaning of the laws relating to mortmain, or of any prohibition or restraint against the holding of land by such corporations or trustees contained in any charter or Act of Parliament; and no contract for or conveyance of any interest in land made bonâ fide for the purpose only of such security shall be deemed void by reason of any non-compliance with the conditions and solemnities required by an Act passed in the ninth year of King George the Second, intituled "An Act to restrain the "disposition of lands whereby the same become unalienable."

Proviso for cases in which the equity of redemption of the premises may be barred or released.

2. Provided always, that in every case in which the equity of redemption of the premises comprised in any such security shall become liable to foreclosure, or otherwise barred or released, the same shall be thenceforth held in trust to be sold and converted into money, and shall be sold accordingly; and if any decree shall be made in any suit for the purpose of redeeming or enforcing such security, such decree shall direct a sale (in default of redemption) and not a foreclosure of such premises.

Interpretation of Terms.

3. The words "real security" in this Act shall include all mortgages or charges, legal or equitable, of or upon lands or hereditaments of any tenure, or of or upon any estate or interest therein or any charge or encumbrance thereon; and the word "conveyance" shall include all grants, releases, transfers, assignments, appointments, assurances, orders, surrenders, and admissions whatsoever operating to pass or vest any estate or interest, at law or in equity, in the premises comprised in any real security.

CHAP. 35.

An Act for the better Apportionment of Rents and other periodical Payments. [1st August 1870.]

WHEREAS rents and some other periodical payments are not at common law apportionable (like interest on money lent) in respect of time, and for remedy of some of the mischiefs and inconveniences thereby arising divers statutes have been passed in the eleventh year of the reign of His late Majesty King George the Second (chapter nineteen), and in the session of Parliament holden in the fourth and fifth years of His late Majesty King William the Fourth (chapter twenty-two), and in the session of Parliament held in the sixth and seventh years of His late Majesty King William the Fourth (chapter seventy-one), and in the session of Parliament held in the fourteenth and fifteenth years of Her present Majesty

(chapter twenty-five), and in the session of Parliament held in the twenty-third and twenty-fourth years of Her present Majesty (chapter one hundred and fifty-four):

And whereas it is expedient to make provision for the remedy of all such mischiefs and inconveniences:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Apportionment Act, 1870."

Rents, &c. to accrue from day to day and be apportionable in respect of time.

2. From and after the passing of this Act all rents, annuities, dividends, and other periodical payments in the nature of income (whether reserved or made payable under an instrument in writing or otherwise) shall, like interest on money lent, be considered as accruing from day to day, and shall be apportionable in respect of time accordingly.

Apportioned part of rent, &c. to be payable when the next entire portion shall have become due.

3. The apportioned part of any such rent, annuity, dividend, or other payment shall be payable or recoverable in the case of a continuing rent, annuity, or other such payment when the entire portion of which such apportioned part shall form part shall become due and payable, and not before, and in the case of a rent, annuity, or other such payment determined by re-entry, death, or otherwise when the next entire portion of the same would have been payable if the same had not so determined, and not before.

Persons shall have the same remedies for recovering apportioned parts as for entire portions.

4. All persons and their respective heirs, executors, administrators, and assigns, and also the executors, administrators, and assigns respectively of persons whose interests determine with their own deaths, shall have such or the same remedies at law and in equity for recovering such apportioned parts as aforesaid when payable (allowing proportionate parts of all just allowances) as they respectively would have had for recovering such entire portions as aforesaid if entitled thereto respectively; provided that persons liable to pay rents reserved out of or charged on lands or other hereditaments of any tenure, and the same lands or other hereditaments, shall not be resorted to for any such apportioned part forming part of an entire or continuing rent as aforesaid specifically, but the entire or continuing rent, including such apportioned part, shall be recovered and received by the heir or other person who, if the rent had not been apportionable under this Act, or otherwise, would have been entitled to such entire or continuing rent, and such apportioned part shall be recoverable from such heir or other person by the executors or other parties entitled under this Act to the same by action at law or suit in equity.

Proviso as to rents reserved in certain cases.

Interpretation of terms.

5. In the construction of this Act—

The word "rents" includes rent service, rentcharge, and rent seck, and also tithes and all periodical payments or renderings in lieu of or in the nature of rent or tithe.

The word "annuities" includes salaries and pensions.

The word "dividends" includes (besides dividends strictly so called) all payments made by the name of dividend, bonus, or otherwise out of the revenue of trading or other public companies, divisible between all or any of the members of such respective companies, whether such payments shall be usually made or declared at any fixed times or otherwise; and all such divisible revenue shall, for the purposes of this Act, be deemed to have accrued by equal daily increment during and within the period for or in respect of which the payment of the same revenue shall be declared or expressed to be made, but the said word "dividend" does not include payments in the nature of a return or reimbursement of capital.

Act not to apply to policies of assurance;

6. Nothing in this Act contained shall render apportionable any annual sums made payable in policies of assurance of any description.

nor where stipulation made to the contrary.

7. The provisions of this Act shall not extend to any case in which it is or shall be expressly stipulated that no apportionment shall take place.

CHAP. 36.

An Act to amend "The Cattle Disease Act (Ireland), 1866." [1st August 1870.]

WHEREAS it is expedient to amend "The Cattle Disease Act (Ireland), 1866:"

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Extending provisions of 29 & 30 Vict. c. 4. relating to providing and applying fund for extinguishing Rinderpest to all cases of contagious or infectious Cattle Disease.

1. The provisions of sections ten, eleven, and twelve of the said "Cattle Disease Act (Ireland), 1866," relating to the providing a fund for the purposes in section ten of the said Act mentioned, in case the Cattle Disease known as the Rinderpest should appear in Ireland, and to the application of such fund, shall extend and apply to the providing and application of a fund for all or any of the additional purposes following; (that is to say,)

(1.) For preventing the introduction into Ireland of the cattle disease known as the "cattle plague," or "rinderpest;" and,

(2.) For preventing the introduction into Ireland, the occurrence or the spreading therein, of any infectious or contagious disease of cattle, sheep, swine, or other animals.

Power to Lord Lieutenant and Privy Council

2. The Lord Lieutenant, by and with the advice of Her Majesty's Privy Council in Ireland, may, from time to time,

to make rules to carry Act into effect.

make such orders as they may think expedient for all and any of the purposes following; (that is to say,)

For insuring for animals brought by sea to ports in Ireland, or shipped from any port in Ireland to any part of England, Wales, or Scotland, a proper supply of food and water during the passage and on landing:

For protecting such animals from unnecessary suffering during the passage and on landing:

For protecting animals from unnecessary suffering during inland transit:

For prohibiting or regulating the movement of animals, and the removal of dead animals or parts thereof, and of hay, straw, litter, dung, and other things likely to spread contagious or infectious diseases among animals:

For requiring the cleansing and disinfecting of yards, sheds, stables, fields, and other premises:

For regulating the disposal of animals dying while affected with a contagious or infectious disease:

For requiring notice of the appearance of any such disease among animals:

For prohibiting or regulating the holding of markets, fairs, exhibitions, or sales of animals:

And generally any orders whatsoever which they think it expedient to make for the better execution of this Act, or for the purpose of in any manner preventing the introduction or spreading of contagious or infectious disease among animals in Ireland (whether any such orders are of the same kind as the kinds enumerated in this section or not), and may in any such order direct or authorise the slaughtering of animals that are affected with any contagious or infectious disease, or that have been in contact with animals so affected; and may in any such order direct or authorise the payment of compensation for any animals so slaughtered; and may in any such order impose penalties for offences against the same, not exceeding the sum of twenty pounds for any such offence, and so that in every such order provision be made that a penalty less than the maximum may be ordered to be paid; and this section shall extend to horses and all ruminating animals not within the definition of animals in this Act.

Every such order shall have the like force and effect as if it had been enacted by this Act.

Steamboat company and other companies to cleanse and disinfect, &c.

3. Every steamboat company, railway company, and other company, and every person carrying animals for hire to or from or in any part of Ireland, shall thoroughly cleanse and disinfect in such manner as the Lord Lieutenant, by and with the advice of Her Majesty's Privy Council in Ireland, from time to time by order may direct, all steamers, vessels, boats, pens, carriages, trucks, horse boxes, and vehicles used by such company or person for the carrying of animals.

If any company or person on any occasion fails to comply with the requisitions of any such order, such company or

person shall on every such occasion be deemed guilty of an offence against this Act.

Water and food to be provided by railway companies.

4. Every railway company shall make a provision, to the satisfaction of the Lord Lieutenant and Her Majesty's Privy Council in Ireland, of water and food, or either of them, at such stations as they from time to time, by general or specific description, direct for animals carried or about to be or having been carried on the railway of the company; and such water and food, or either of them, shall be supplied to any such animal by the company carrying it, on the request in writing of the consignor thereof, or on the request of any person in charge thereof; and the company so supplying water and food, or either of them, may make in respect thereof such reasonable charges, if any, as the Lord Lieutenant and Her Majesty's Privy Council in Ireland may by order approve, in addition to such charges as they are for the time being authorised to make in respect of the carriage of animals; and the amount of such additional charges accrued due in respect of any animal shall be a debt from the consignor and from the consignee thereof to the company, and shall be recoverable by the company from either of them, by proceedings in any court of competent juirsdiction, and the company shall have a lien for the amount thereof on the animal in respect of which the same accrued due, and on any other animal at any time consigned by the same person to be carried by the company.

If any company on any occasion fails to comply with the requirements of this section they shall, on every such occasion, be deemed guilty of an offence against this Act. If in the case of any animal such a request as aforesaid is not made, so that the animal remains without a supply of water for a longer time than twelve consecutive hours, the consignor, and the person in charge of the animal, shall each be deemed guilty of an offence against this Act; and it shall lie on the person accused to prove the time within which the animal has had a supply of water.

Animals landed in contravention of order to be forfeited.

5. If any person lands or attempts to land in any port or place in Ireland, or ships or attempts to ship from any port or place in Ireland to any part of England, Wales, or Scotland, any animal or thing in contravention of any order under this Act, such animal or thing shall be forfeited in like manner as goods the importation whereof is prohibited by the Acts relating to the customs are liable to be forfeited; and the person so offending shall be liable to such penalties as are imposed on persons importing or attempting to import goods the importation whereof is prohibited by the Acts relating to the customs, without prejudice to any proceeding against him under this Act or under any such order, but so that no person be punished twice for the same offence.

Evidence of orders.

6. An order or regulation made or issued by the Lord Lieutenant by and with the advice of Her Majesty's Privy Council in Ireland under this Act, or the "Cattle Disease

(Ireland) Act, 1866," may be proved as follows:—By the production of a printed copy of such order or regulation purporting to be certified to be a true copy by the clerk of the said Council, or the person for the time acting as such.

And any such order or regulation shall, until the contrary is proved, be deemed to have been duly made and issued at the time at which it bears date.

Certain acts to be offences under this Act.

7. If any person does any of the following things, he shall be guilty of an offence against this Act:

(1.) If he does anything for which a licence is requisite under this Act, or any order under this Act, without having obtained a licence:

(2.) If where such a licence is requisite, having obtained a licence in that behalf, he does the thing licensed after the licence has expired:

(3.) If he uses, or offers or attempts to use, as such a licence, an instrument not being a complete licence, or an instrument untruly purporting or appearing to be a licence, unless he shows, to the satisfaction of the justice before whom he is charged, that he did not know of such incompleteness or untruth, and that he could not with reasonable diligence have obtained such knowledge:

(4.) If he fabricates or alters, or offers or utters, knowing the same to be fabricated or altered, any licence, declaration, certificate, or instrument made or issued, or purporting to be made or issued, under or for any purpose of this Act, or any such order:

(5). If for the purpose of obtaining any licence, certificate, or instrument, under or for the purposes of any such provision, he makes a declaration or representation false in any material particular, unless he shows, to the satisfaction of the justice before whom he is charged, that he did not know of such falsity, and that he could not with reasonable diligence have obtained such knowledge:

(6.) If he obtains or endeavours to obtain any such licence, certificate, or instrument, by means of any false pretence, unless he shows to the satisfaction of the justice before whom he is charged, that he did not know of such falsity, and that he could not with reasonable diligence have obtained such knowledge:

(7.) If he grants or issues any such licence, certificate, or instruments, being false in any material particular, unless he shows, to the satisfaction of the justice before whom he is charged, that he did not know of such falsity, and that he could not with reasonable diligence have obtained such knowledge:

And in such case he shall be liable, on conviction, in the discretion of the justice, to be imprisoned for any term not exceeding three months, with or without hard labour, in

lieu of the pecuniary penalty to which he is liable under this Act.

Penalty for contravening provisions of this Act, or orders made in pursuance thereof.

8. If any person acts in contravention of any provisions in this Act contained, or if any person is guilty of any offence against this Act, or any order made in pursuance of this Act, he shall for each offence incur a penalty not exceeding twenty pounds, and where any such act or offence is committed with respect to more than four animals, a penalty not exceeding five pounds for each animal may be imposed instead of the penalty of twenty pounds.

Where any such offence is committed in relation to offal, dung, hay, straw, litter, or other thing, a further penalty not exceeding ten pounds may be imposed in respect of every half ton in weight of such offal or other thing after the first half ton.

Recovery and application of penalties.

9. Every penalty recoverable under the provisions of this Act shall be recovered and applied in the same manner as penalties are recovered and applied under section five of the "Cattle Disease (Ireland) Act, 1866."

Proceedings.

10. For the purpose of proceedings under this Act, or any order made hereunder, or under the "Cattle Disease (Ireland) Act, 1866," or any order made thereunder, every offence against this Act, or any such order or regulation, shall be deemed to have been committed, and every cause of complaint under this Act, or any such order or regulation, shall be deemed to have arisen, either in the place in which the same actually was committed or arose, or in any place in which the person charged or complained against happens to be.

Certificate of inspector under the "Cattle Disease (Ireland) Act, 1866," or this Act.

11. The certificate of an inspector, authorised to act as such under the said "Cattle Disease (Ireland) Act, 1866," or under this Act, that an animal is affected with an infectious or contagious disease, shall for the purpose of the said Acts be conclusive evidence in all courts of justice.

Interpretation.

12. In this Act, or Orders in Council made thereunder,—

The term "Lord Lieutenant" shall mean the Lord Lieutenant of Ireland, and the Lords Justices or other chief governor or governors of Ireland for the time being:

The term "cattle" means bulls, cows, oxen, heifers, and calves:

The term "animal" means, except where it is otherwise expressed, cattle, sheep, goats, and swine:

The term "foreign," as applied to cattle or animals, means brought from any place out of the United Kingdom of Great Britain and Ireland:

The term "contagious or infectious disease" includes cattle plague, pleuro-pneumonia, foot and mouth disease, sheep-pox, sheep-scab, and glanders, and any disease which the Lord Lieutenant or other chief governor or governors of Ireland, by and with the advice of Her Majesty's Privy Council in Ireland, may from time to time, by order, declare to be a contagious or infectious disease for the purpose of this Act:

The term "railway company" includes a company or person working a railway under a lease or otherwise:

The term "person" includes a body corporate or incorporate:

The word "month" shall include a calendar month.

This Act to be construed with Act of 1866.

13. This Act and the said Cattle Disease Act (Ireland), 1866, shall be construed together, and all provisions of the said recited Act shall remain in full force, save to the extent to which they have been modified or altered by this Act.

Short title.

14. This Act may be cited for all purposes as "The Cattle Disease (Ireland) Amendment Act, 1870."

CHAP. 37.

An Act to enable the senior Magistrate of populous Places in Scotland to act ex officio as a Justice of the Peace and Commissioner of Supply for the County in which the said populous Place is situated.

[1st August 1870.]

WHEREAS an Act was passed in the twenty-fifth and twenty-sixth years of Her present Majesty, chapter one hundred and one, intituled "An Act to make more effectual "provision for regulating the police of towns and populous "places in Scotland, and for lighting, cleansing, paving, drain-"ing, supplying water to, and improving the same, and also "for promoting the public health thereof:"

And whereas various populous places have been established and magistrates and commissioners therein appointed under the provisions of the said recited Act and other Acts therein recited, and it is expedient that the senior police magistrate of such places should be placed in the same position with regard to the county in which the said populous places are situated as the provosts of royal and parliamentary burghs:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

Senior magistrate of a populous place to be a justice of the peace and a commissioner of supply.

1. In every populous place whereof the boundaries have been ascertained and fixed under the provisions of the said recited Act or the Act therein first recited, and which has adopted either of the said Acts so far as regards lighting, cleansing, draining, and the supply of water, the senior police magistrate elected under the provisions of either of the said Acts shall be ex officio a justice of the peace and commissioner of supply of the county within which the said populous place is situated; and where any such populous place is partly situated in each of two or more counties, such senior police magistrate shall in like manner be ex officio a justice of the peace and a commissioner of supply of each and all of the several counties in which any part of such populous place may be situated.

CHAP. 38.

An Act to disfranchise the Boroughs of Sligo and Cashel. [1st August 1870.]

WHEREAS representations were made to Her Majesty, in joint addresses of both Houses of Parliament, to the effect that the judges selected in pursuance of the Parliamentary Elections Act, 1868, for the trial of the petitions complaining of undue elections and returns for the boroughs of Sligo and Cashel at the elections of members to serve in Parliament, respectively held for the said boroughs in the month of November one thousand eight hundred and sixty-eight, had respectively reported to the House of Commons as to the said borough of Sligo that corrupt practices extensively prevailed at the said election, and as to the said borough of Cashel that there was reason to believe that the corrupt practice of bribery did extensively prevail at the said election:

And whereas, in pursuance of such representations, Commissioners were appointed under two several commissions, both dated the twenty-third day of June one thousand eight hundred and sixty-nine, for the purpose of making inquiry into the existence of such bribery and corrupt practices, in pursuance of the Act of Parliament passed in the sixteenth year of the reign of Her present Majesty, chapter fifty-seven, intituled "An Act to provide for the more effectual inquiry "into the existence of corrupt practices at elections for "members to serve in Parliament;"

And whereas the Commissioners so appointed reported to Her Majesty:

(1.) As respects the said borough of Sligo, that corrupt practices had extensively prevailed in Sligo at the elections of the years one thousand eight hundred and sixty, one thousand eight hundred and sixty-five, and the said election of the year one thousand eight hundred and sixty-eight:

(2.) As respects the said borough of Cashel, that the election of the year one thousand eight hundred and sixty-five was conducted in a corrupt manner on the part of one of the candidates, and that corrupt practices were committed at the said election, and that the said election of the year one thousand eight hundred and sixty-eight was conducted in a corrupt manner on the part of each of the candidates:

And whereas it appears by the report of the said Commissioners as to the said borough of Cashel, that corrupt practices extensively prevailed in Cashel at both the said elections:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Disfranchisement of Sligo and Cashel.

1. From and after the passing of this Act the boroughs of Sligo and Cashel shall respectively cease to return any member or members to serve in Parliament.

Persons reported guilty of bribery in Sligo disqualified as voters for the county of Sligo in respect of qualification arising in said borough.

2. Whereas the Commissioners appointed for the purpose of making inquiry into the existence of corrupt practices in the borough of Sligo by their report, dated the third day of March one thousand eight hundred and seventy, reported to Her Majesty that the persons named in the schedules (E.) and (F.) annexed to their said report had been guilty of bribery in either giving or receiving bribes at the said election in the year one thousand eight hundred and sixty-eight: Be it enacted, that none of the persons so named in the said schedules shall have the right of voting for the county of Sligo in respect of a qualification situated within the said borough of Sligo.

Persons reported guilty of bribery in Cashel disqualified as voters for the county of Tipperary in respect of qualification arising in said borough.

3. Whereas the Commissioners appointed for the purpose of making inquiry into the existence of corrupt practices in the said borough of Cashel, by their report dated the eighteenth day of December one thousand eight hundred and sixty-nine, reported to Her Majesty that the persons named in the schedules (C.) and (D.) annexed to their said report had been guilty of bribery in either giving or receiving bribes at the said election in the year one thousand eight hundred and sixty-eight: Be it enacted, that none of the persons so named in the said schedules, except Patrick Connor named in the said schedule (C.), shall have the right of voting for the county of Tipperary in respect of a qualification situated within the said borough of Cashel.

Evidence of reports.

4. Any copy of either of the said reports by the said Commissioners appointed for the purpose of making inquiry into the existence of corrupt practices in either of the said boroughs of Sligo or Cashel, with the schedules thereunto annexed, purporting to be printed by the Queen's authority, shall, for the purposes of this Act, be deemed to be sufficient evidence of either of the said reports, and of the schedules annexed thereto.

CHAP. 39.

An Act to facilitate transfers of Ecclesiastical Patronage in certain cases. [1st August 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provisions of 3 & 4 Vict. c. 113. s. 73., 4 & 5 Vict. c. 39. s. 22., 31 & 32 Vict. c. 114. s. 12., to authorise

1. The powers and provisions contained in the seventy-third section of the Act of the third and fourth years of Her Majesty, chapter one hundred and thirteen, in the twenty-second section of the Act of the fourth and fifth years of Her Majesty, chapter thirty-nine, and in the twelfth section of the Act of the thirty-first and thirty-second years of Her Majesty,

chapter one hundred and fourteen, shall be held to authorise the transfer, by the process and with the consents therein mentioned, of the ownership of any advowson or other right of patronage in any spiritual preferment, or any estate or interest in the same; provided always, that it shall appear to the Ecclesiastical Commissioners for England, and shall be so stated in the scheme submitted by them to Her Majesty in Council for effecting such transfer, that the same transfer will tend to make better provision for the cure of souls in the parish or district in or in respect of which the right of patronage or advowson arises or exists; and provided always, that such transfer may take effect as from or to any ecclesiastical corporation, aggregate or sole, notwithstanding any statute of mortmain. transfer of any advowson.

CHAP. 40.

An Act for authorising a guarantee of a loan to be raised by the Government of New Zealand for the construction of roads, bridges, and communications in that country, and for the introduction of settlers into that country. [1st August 1870.]

WHEREAS the Government of New Zealand propose to raise by way of loan a sum not exceeding one million pounds for the purposes of the construction of roads, bridges, and communications in that country, and of the introduction of settlers into that country, and it is expedient to authorise the Commissioners of Her Majesty's Treasury, in this Act referred to as "the Treasury," to guarantee such loan:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the New Zealand (Roads, &c.) Loan Act, 1870. Short title.

2. The Treasury may guarantee, in such manner and form as they think fit, payment of the principal of all or any part of any loan not exceeding one million pounds raised by the Government of New Zealand for the purposes of the construction of roads, bridges, and communications in that country, and of the introduction of settlers into that country, and payment of the interest of any such loan at a rate not exceeding four per cent. Power to Treasury to guarantee loan.

3. The Treasury shall not give any guarantee under this Act, unless and until provision has been made, either before or after the passing of this Act, by an Act of the Legislature of New Zealand, or otherwise to the satisfaction of the Treasury,— Conditions of guarantee.

(1.) For raising the said loan, and appropriating the same to the purposes mentioned in this Act:

(2.) For charging the Consolidated Revenue of New Zealand with the payment of the principal and interest of the said loan immediately after the charges on that fund existing at the time of the passing of this Act:

(3.) For payment by the Government of New Zealand of a sinking fund at the rate of two per centum per annum on the entire amount of the said loan, or so much as is raised for the time being, commencing at the date at which the whole of such loan is raised, or at the expiration of ten years from the passing of the Act (whichever date first happens), and for charging the Consolidated Revenue of New Zealand with the payment of such sinking fund immediately after the principal and interest of the said loan:

(4.) For charging the Consolidated Revenue of New Zealand with any sum issued out of the Consolidated Fund of the United Kingdom under this Act, with interest thereon at the rate of five per centum per annum, immediately after the sinking fund of the said loan:

(5.) For rendering to the Governor of New Zealand, for transmission to the Treasury, an annual abstract of the accounts of the expenditure of the money raised by means of the said loan under such heads as the Treasury from time to time desire:

(6.) For remitting to the Treasury the annual sums for the sinking fund by equal half-yearly payments, and for the investment and accumulation thereof under their direction in the names of four trustees nominated from time to time, two by the Treasury and two by the Government of New Zealand.

The Treasury shall not guarantee in any one year a larger sum than two hundred thousand pounds, and the Treasury, before guaranteeing any portion of the loan after the first, shall satisfy themselves that the portion of the loan already raised has been or is in the course of being spent for the purposes mentioned in this Act.

Application of sinking fund.

4. The said sinking fund may be invested in such securities as the Government of New Zealand and the Treasury from time to time agree upon, and shall, whether invested or not, be applied from time to time, under the direction of the Treasury, in discharging the principal of the said loan; and the interest arising from such securities (including the interest on any part of the loan discharged by means of the sinking fund), and the resulting income thereof shall be invested and applied as part of such sinking fund.

Alteration of Act relating to guaranteed loan.

5. Every Act passed by the Legislature of New Zealand which in any way impairs the priority of the charge upon the Consolidated Revenue of New Zealand created by that Legislature of the said loan and the interest and sinking fund thereof, and the sums paid out of the Consolidated Fund of the United Kingdom and the interest thereon, shall, so far

only as it impairs such priority, be void, unless such Act contain a suspending clause providing that such Act shall not come into operation until Her Majesty's pleasure thereon has been publicly signified in New Zealand.

Issue out of Consolidated Fund.

6. The Treasury are hereby authorised to cause to be issued from time to time, out of the growing produce of the Consolidated Fund of the United Kingdom, such sums of money as may at any time be required to be paid to fulfil the guarantee under this Act in respect either of principal or interest.

Certificate of amount paid out of Consolidated Fund.

7. The Treasury may, from time to time, certify to one of Her Majesty's Principal Secretaries of State the amount which has been paid out of the Consolidated Fund of the United Kingdom to fulfil the guarantee under this Act, and the date of such payment; such certificate shall be communicated to the Governor of New Zealand, and shall be conclusive evidence of the amount having been so paid and of the time when the same was so paid.

Accounts to be laid before Parliament.

8. The Treasury shall cause to be prepared and laid before both Houses of Parliament a statement of any guarantee given under this Act, and a copy of any accounts received by them respecting the expenditure of the said loan, and an account of all sums issued out of the Consolidated Fund of the United Kingdom for the purposes of this Act, within one month after the same are so given, received, or issued, if Parliament be then sitting, or if Parliament be not sitting, then within fourteen days after the then next meeting of Parliament.

CHAP. 41.

An Act for raising the sum of one million three hundred thousand pounds by Exchequer Bonds for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-one.

[1st August 1870.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the necessary supplies which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to give and grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Treasury may raise 1,300,000*l.* by Exchequer bonds.

1. Towards raising the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-one, it shall be lawful for the Commissioners of Her Majesty's Treasury at any time

or times, but not later than the thirty-first day of March one thousand eight hundred and seventy-one, to cause any number of Exchequer Bonds to be made out at the Bank of England for any sum or sums of money not exceeding in the whole the sum of one million three hundred thousand pounds, and such bonds shall bear such interest as shall be determined by the said Commissioners, not exceeding four pounds per centum per annum, and shall be paid off at par at the expiration of any period or periods not exceeding five years from the date of such bonds.

Interest on bonds, and repayment of principal money.

2. The interest on such bonds shall be paid half-yearly on such days as shall be appointed by the said Commissioners, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or out of the growing produce thereof; and the principal moneys secured by such bonds shall be repaid out of such money as shall be provided by Parliament in that behalf.

Treasury may cause Exchequer bonds to be prepared and issued according to provisions of 29 & 30 Vict. c. 25.

3. The Commissioners of Her Majesty's Treasury may from time to time, by warrant under their hands, cause or direct the Exchequer bonds to be issued under the authority of this Act to be prepared for such principal sums, not less in any case than one hundred pounds, together with coupons for the interest becoming due from time to time thereon, in such form and under such regulations as the said Commissioners may think most safe and convenient, and according to the provisions, so far as they relate to Exchequer bonds, of an Act of the twenty-ninth year of Her Majesty, chapter twenty-five, intituled "An Act to consolidate and amend the several "laws regulating the preparation, issue, and payment of "Exchequer bills and bonds."

Persons forging Exchequer bonds, &c. guilty of felony.

4. If any person shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Exchequer bond issued under this Act, or any coupon for interest accruing thereon, such person shall be guilty of felony, and upon being lawfully convicted thereof shall suffer accordingly.

Money raised to be paid to the Consolidated Fund.

5. All such sums of money as shall be raised by Exchequer bonds to be made out in pursuance of this Act shall be paid to the account of Her Majesty's Exchequer at the Bank of England, and shall be carried to and form part of the Consolidated Fund of the United Kingdom.

Treasury may borrow 1,300,000*l.* on the credit of bonds, and National Debt Commissioners may purchase bonds with savings banks money.

6. The Commissioners of the Treasury may borrow upon the credit of the Exchequer bonds to be made out in pursuance of this Act any sum or sum of money not exceeding in the whole the sum of one million three hundred thousand pounds (anything in any Act to the contrary notwithstanding); and the Commissioners for the Reduction of the National Debt may invest, in the purchase of Exchequer bonds issued under the authority of this Act, any money in their hands on account of savings banks, or Post Office savings banks.

CHAP. 42.

An Act to empower magistrates and town councils of burghs in Scotland to abolish petty customs and to levy a rate in lieu thereof. [1st August 1870.]

WHEREAS it is expedient to enable the provost, magistrates, and town councils of burghs in Scotland to abolish certain duties or customs styled petty customs, or part thereof, now leviable within certain of such burghs respectively, and to make other provision for the common good of such burghs in lieu thereof:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation of terms.

1. The word "burgh" shall mean any royal, parliamentary, or other burgh, as defined by the word "burgh" in the General Police and Improvement Act (Scotland), 1862, and in which heretofore petty customs have been levied or leviable.

Petty customs may be abolished by council.

2. After the thirty-first of December in this present year the magistrates and council of any burgh may resolve that from a subsequent date, to be specified in such resolution, the petty customs or duties, or part of them, levied or leviable in such burgh shall be abolished, and that in lieu thereof there shall be levied by way of assessment in such burgh a rate or rates calculated to yield in the whole in the year an amount equal to the net yearly amount of such petty customs, or part of them, and no more, but not exceeding in the whole for any one year the amount of threepence in the pound sterling on the valuation of the assessable property within the boundaries of such burgh, and from such date such petty customs or duties, or such part thereof, shall be wholly abolished in such burgh, and such rate may be levied either as a separate rate or as part of and in addition to and under the same conditions and subject to the same restrictions and exemptions as any police or burgh rate levied or leviable within such burgh: Provided that no such resolution shall have any force or effect unless a month's previous notice shall have been given of the meeting of the magistrates and council whereat such resolution was moved, and of the intention to move such resolution, in one or more public newspapers circulating within such burgh, and also in the manner in which notices of meetings of magistrates and town councils are usually given in such burgh, and unless also two thirds at the least of the members of the council present at such meeting concur in such resolution.

Saving in respect of creditors.

3. On such petty customs or duties, or part of them, levied or leviable in such burgh being abolished in manner hereinbefore provided, the rate or rates to be levied in lieu thereof shall, ipso facto, come in place of any security held by any creditor or creditors of such burgh over such petty customs

or duties, or part of them, but nothing herein contained, nor any such resolution, shall in any way affect, diminish, or take away the right, claim, or title of any creditor of any such burgh to any payment or any security out of or upon the common good of such burgh, nor shall any such resolution be of any validity or effect so long as any tack or lease of such petty customs shall be in force, or until such lease or tack shall have terminated by surrender or effluxion of time, or otherwise, nor without the consent of the creditor, so long as any such petty customs or any of them shall be and continue assigned as a special security to any creditor of such burgh.

Boundaries.

4. The boundaries of any such burgh within which any such rate in lieu of petty customs shall be levied or leviable shall be the boundaries within which the assessment and rate for police purposes of such burgh shall be levied or leviable: Provided that such rate shall not be levied or leviable beyond the boundaries of any burgh within which such petty customs have heretofore been levied.

Extent of Act.

5. This Act shall only extend to Scotland.

CHAP. 43.

An Act to alter certain Duties of Customs upon Refined Sugar in the Isle of Man.

[1st August 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Customs Refined Sugar Duties (Isle of Man) Act 1870."

Alteration of duties.

2. After the passing of this Act, in lieu of the duty of six shillings the hundredweight, now payable on sugar candy, white or brown, refined sugar, or sugar rendered by any process equal to refined, foreign or British, on the importation thereof into the Isle of Man, there shall be paid the duty of four shillings the hundredweight; and so much of the Act of the session of the twenty-ninth Victoria, chapter twenty-three, as imposed the said duty of six shillings the hundredweight is hereby repealed.

CHAP. 44.

An Act to declare the Stamp Duty chargeable on certain Leases. [1st August 1870.]

WHEREAS it was decided on the twenty-first day of January one thousand eight hundred and seventy by Her Majesty's Court of Exchequer, on the hearing of an appeal from the determination of the Commissioners of Inland Revenue on a question relating to stamp duty, that a certain lease made in consideration of a yearly rent thereby reserved,

and in further consideration of a covenant by the lessee to complete unfinished houses which were at the date of the lease standing upon the demised land, was chargeable, according to the proper construction of the sixteenth section of an Act passed in the seventeenth and eighteenth years of Her Majesty's reign, chapter eighty-three, as if it were a separate lease made for such further consideration alone, with the stamp duty of thirty-five shillings, in addition to the ad valorem duty with which it was chargeable in respect of the yearly rent:

And whereas it is considered that the principle of the said decision is applicable to every lease made on or since the tenth day of October one thousand eight hundred and fifty-four, being the day on which the said Act came into operation, for any consideration or considerations in respect whereof it is chargeable with ad valorem duty, and in further consideration either of a covenant by the lessee to make or of his having previously made any substantial improvement of or addition to the property demised to him:

And whereas it was generally considered, previously to the said decision, that such leases as are herein-before described were not chargeable with the said additional duty:

And whereas it is expedient that the holders of any such leases made previously to the passing of this Act should be relieved from the payment of the said additional duty, and that such leases should not in future be chargeable with such additional duty:

Now be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

As to stamps on leases.

1. No lease already made or hereafter to be made for any consideration or considerations in respect whereof it is chargeable with ad valorem stamp duty, and in further consideration either of a covenant by the lessee to make or of his having previously made any substantial improvement of or addition to the property demised to him, or of any usual covenant, shall be deemed to be or to have been chargeable with any stamp duty in respect of such further consideration.

CHAP. 45.

An Act for establishing a District Registrar of the High Court of Admiralty in England at Liverpool.

[1st August 1870.]

WHEREAS a large proportion of the entire business now transacted in each year before the High Court of Admiralty of England consists of suits arising from the port of Liverpool:

And whereas it would tend to increase the despatch and to lessen the expense of Admiralty suits if a registry of the said High Court of Admiralty were established at Liverpool:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Liverpool Admiralty District Registrar's Act, 1870.

Power to establish Court of Admiralty in Liverpool.

2. There shall be established in Liverpool a registry of the High Court of Admiralty, and it shall be lawful for Her Majesty from time to time by Order in Council to fix the limits of such registry.

Power to appoint registrar, clerks, and officers.

3. There shall be a registrar for such district, and such clerks and other officers as the judge of the High Court of Admiralty, with the concurrence of the Commissioners of Her Majesty's Treasury, shall consider necessary, but no such registrar, clerk, or other officer shall be entitled to claim any compensation in case his office shall at any time be abolished.

Registrar, clerks, and other officers to be appointed by judge.

4. The Liverpool district registrar shall be appointed by the judge, with the approval of the Lord High Admiral of the United Kingdom of Great Britain and Ireland for the time being, or of the Lords Commissioners for executing the office of Lord High Admiral, as the case may be. Such clerks and other officers as aforesaid shall be appointed by the judge.

To hold office during good behaviour.

5. The Liverpool district registrar and such clerks and other officers as aforesaid may respectively be removed by the judge for inability or misbehaviour.

Qualification of registrar.

6. No person shall be appointed Liverpool district registrar unless he shall have been in practice as an advocate or barrister, proctor, attorney, or solicitor, for a period of ten years.

Registrar not to practise as attorney in his district.

7. It shall not be lawful for the Liverpool district registrar, during the time he shall hold and exercise his office, either directly or indirectly by himself, his partners, clerk, or other person, to practise in his district of the said court, either as barrister or as attorney originally retained or as agent for any other attorney, nor to participate in any costs payable to any attorney in respect of any business done or suit or matter instituted or prosecuted in the district registry; and the Liverpool district registrar being proved to the satisfaction of the said judge of the Court of Admiralty to have so practised, or to have participated in any costs as aforesaid, contrary to the meaning and intent of this Act, shall be deemed to have committed and shall be punishable as and for a contempt of court, and shall be liable to dismissal from his office.

Powers of registrar.

8. The Liverpool district registrar shall have and exercise, in respect of any matter in his registry, all powers held or

exercised by the registrar of the High Court of Admiralty of England, by virtue of this or of any former Act or rule.

Where suits to be instituted.

9. Any suit may be instituted,—

1. In the Liverpool district registry when the ship or property the subject of the suit is at the time of the institution of the suit within the district of such registry:
2. Or when the owner or owners of the ship or property, or the owner or owners of the larger number of shares in the ship, or the managing owner, or ship's husband, reside at the time of the institution of the suit within the district of such registry:
3. Or when the port of registry of the ship is within the district of such registry:
4. Or when the parties so agree by a memorandum signed by them or their attorneys or agents:

Provided always, that when a suit has been instituted in the Liverpool district registry, no further suit shall be instituted against the same property in the principal registry without leave of the judge, and subject to such terms as to costs and otherwise as he may direct.

Appeal.

10. An appeal may be made to the High Court of Admiralty of England from a final decree or order of the Liverpool district registrar, and by permission of the Liverpool district registrar or of the judge from any interlocutory decree or order therein, on security for costs being first given, and subject to such other provision as general orders shall direct.

Power to registrar to summon nautical assessors.

11. On the trial of any Admiralty cause subsisting in the Liverpool district registry, before the registrar of such district, it shall be lawful for such registrar, if he shall think fit, and he shall, upon the request of either party, summon to his assistance, in such manner as general orders shall direct, two nautical assessors, and such nautical assessors shall attend and assist accordingly.

List of persons qualified to act as nautical assessors to be published in London Gazette.

12. The Liverpool district registrar shall from time to time frame a list of persons of nautical skill and experience, residing or having places of business within the district, to act as assessors in that district, to be approved by the judge, before whom the same shall be laid by the Liverpool district registrar, and without whose approval it shall have no validity, and shall cause the list, when so approved to be published in the "London Gazette," and in at least one Liverpool newspaper.

Removal of suits or appeal

13. Any party to a suit or to an appeal, at any stage of such suit or appeal, may, by the leave of the Court and subject to such terms as to costs or otherwise as the Court may direct, remove any such suit instituted or any such appeal pending in the principal registry to the Liverpool district registry, and any suit instituted or appeal pending in the Liverpool district registry to the principal registry.

Scale of costs to be prescribed.

14. A scale of costs and charges in Admiralty causes in the Liverpool district registry, and of fees to be taken in the Liverpool district registry, shall be prescribed by general orders.

Application of fees.

15. All fees received in the Liverpool district registry shall be applied in the first instance in the payment of such office expenses and salaries of the clerks employed therein, and in payment to the registrar of such remuneration in lieu of salary as may be determined by general orders; and all such fees shall be accounted for by the Liverpool district registrar, and the surplus, if any, paid over by him to the Commissioners of Her Majesty's Treasury at such period and in such manner as the Commissioners may direct.

General orders for regulating practice, &c. to be made.

16. General orders shall be from time to time made under this Act for the purposes in this Act directed, and for regulating the practice and procedure in the Liverpool district registry, the duties of the registrar and officers thereof, and the fees to be taken therein.

By whom to be made.

17. General orders under this Act shall be made by the judge of the High Court of Admiralty of England, subject to the approval of Her Majesty's Treasury, in all matters relating to the number of officers of or persons employed in the Liverpool district registry, their salaries or emoluments, and to the scale of fees to be taken at the said registry.

If salaries paid by Parliament, fees shall be collected by stamps.

18. If at any time such salaries or emoluments are paid out of moneys provided by Parliament, the Lord Chancellor and the said Commissioners may direct that the fees shall be collected by means of stamps, under the provisions of the Public Offices Fees Act, 1866.

Act not to abridge power of registrar of High Court of Admiralty.

19. Nothing in this Act contained shall in any way abridge or lessen the power of the registrar of the High Court of Admiralty in England within the district of the Liverpool registry.

CHAP. 46.

An Act to amend the Law relating to the Occupation and Ownership of Land in Ireland.

[1st August 1870.]

WHEREAS it is expedient to amend the law relating to the occupation and ownership of land in Ireland:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

LAW OF COMPENSATION TO TENANTS.

Claim to Compensation.

Legality of Ulster tenant-right custom.

1. The usages prevalent in the province of Ulster, which are known as, and in this Act intended to be included under,

the denomination of the Ulster tenant-right custom, are hereby declared to be legal, and shall, in the case of any holding in the province of Ulster proved to be subject thereto, be enforced in manner provided by this Act.

Where the landlord has purchased or acquired or shall hereafter purchase or acquire from the tenant the Ulster tenant-right custom to which his holding is subject, such holding shall thenceforth cease to be subject to the Ulster tenant-right custom.

A tenant of a holding subject to the Ulster tenant-right custom, and who claims the benefit of such custom, shall not be entitled to compensation under any other section of this Act; but a tenant of a holding subject to such custom, but not claiming under the same, shall not be barred from making a claim for compensation, with the consent of the Court, under any of the other sections of this Act, except the section relating to compensation in respect of payment to incoming tenant; and where such last-mentioned claim has been made, and allowed, such holding shall not be again subject to the Ulster tenant-right custom.

Legality of tenant custom other than Ulster custom.

2. If, in the case of any holding not situate within the province of Ulster, it shall appear that an usage prevails which in all essential particulars corresponds with the Ulster tenant-right custom, it shall in like manner, and subject to the like conditions, be deemed legal, and shall be enforced in manner provided by this Act.

Where the landlord has purchased or acquired or shall hereafter purchase or acquire from the tenant the benefit of such usage as aforesaid to which his holding is subject, such holding shall thenceforth cease to be subject to such usage.

A tenant of any holding subject to such usage as aforesaid, and who claims the benefit of the same, shall not be entitled to claim compensation under any other section of this Act; but a tenant of a holding not claiming the benefit of such usage shall not be barred from making a claim for compensation with the consent of the Court under any of the other sections of this Act, and where such last-mentioned claim has been made and allowed, such holding shall not be again subject to such usage as aforesaid.

Compensation in absence of custom.

3. Where the tenant of any holding held by him under a tenancy created after the passing of this Act is not entitled to compensation under sections one and two of this Act, or either of such sections, or if entitled does not seek compensation under said sections or either of them, and is disturbed in his holding by the act of the landlord, he shall be entitled to such compensation for the loss which the Court shall find to be sustained by him by reason of quitting his holding, to be paid by the landlord, as the Court may think just, so that the sum awarded does not exceed the scale following; that is to say,

In the case of holdings valued under the Acts relating to the valuation of rateable property in Ireland at an annual value of—

(1.) £10 and under, a sum which shall in no case exceed seven years rent;

(2.) Above £10 and not exceeding £30, a sum which shall in no case exceed five years rent;

(3.) Above £30 and not exceeding £40, a sum which shall in no case exceed four years rent;

(4.) Above £40 and not exceeding £50, a sum which shall in no case exceed three years rent;

(5.) Above £50 and not exceeding £100, a sum which shall in no case exceed two years rent;

(6.) Above £100 a sum which shall in no case exceed one year's rent;

But in no case shall the compensation exceed the sum of £250.

Any tenant in a higher class of the scale may, at his option, claim compensation under a lower class, provided such compensation shall not exceed the sum to which he would be entitled under such lower class on the assumption that the annual value of his holding is reduced to the sum (or where two sums are mentioned, the highest sum) stated in such lower class, and that his rent is proportionally reduced.

Provided that no tenant of a holding valued at a yearly sum exceeding £10, and claiming under this section more than four years rent, and no tenant of a holding valued at a yearly sum not exceeding £10, and claiming as aforesaid more than five years rent, shall be entitled to make a separate or additional claim for improvements other than permanent buildings and reclamation of waste land.

Provided that—

(1.) Out of any moneys payable to the tenant under this section all sums due to the landlord from the tenant or his predecessors in title in respect of rent, or in respect of any deterioration of a holding arising from non-observance on the part of the tenant of any express or implied covenant or agreement, may be deducted by the landlord, and also any taxes payable by the tenant due in respect of the holding, and not recoverable by him from the landlord:

(2.) A tenant of a holding who at any time after the passing of this Act subdivides such holding, or sublets the same or any part thereof without the consent of the landlord in writing, or, after he has been prohibited in writing by the landlord or his agent from so doing, lets the same or any part thereof in conacre, save for the purpose of being solely used and which shall be solely used for the growing of potatoes or other green crops, the land being properly manured, shall not, nor shall any sub-tenant of or under any

such tenant as last aforesaid, be entitled to any compensation under this section:

(3.) A tenant of a holding under a lease made after the passing of this Act, and granted for a term certain of not less than thirty-one years, shall not be entitled to any compensation under this section, but he may claim compensation under section four of this Act.

The tenant of any holding valued under the Acts relating to the valuation of rateable property in Ireland at an annual value of not more than one hundred pounds, and held by him under a tenancy from year to year existing at the time of the passing of this Act, shall, if disturbed by the act of his immediate landlord, be entitled to compensation under and subject to the provisions of this section.

Any contract made by a tenant by virtue of which he is deprived of his right to make any claim which he would otherwise be entitled to make under this section shall, so far as relates to such claim, be void, both at law and in equity; this provision shall be subject to the enactment contained in the section of this Act relating to the partial exemption of certain tenancies, and remain in force for twenty years from the first day of January one thousand eight hundred and seventy-one, and no longer, unless Parliament shall otherwise determine.

Compensation in respect of improvements.

4. Any tenant of a holding who is not entitled to compensation under sections one and two of this Act, or either of such sections, or if entitled does not make any claim under the said sections, or either of them, may on quitting his holding, and subject to the provisions of section three of this Act, claim compensation to be paid by the landlord under this section in respect of all improvements on his holding made by him or his predecessors in title.

Provided that—

Exception of certain improvements.

(1.) A tenant shall not be entitled to any compensation in respect of any of the improvements following; that is to say,—

(*a.*) In respect of any improvement made before the passing of this Act, and twenty years before the claim of such compensation shall have been made, except permanent buildings and reclamation of waste land; or,

(*b.*) In respect of any improvement prohibited in writing by the landlord as being and appearing to the Court to be calculated to diminish the general value of the landlord's estate, and made within two years after the passing of this Act, or made during the unexpired residue of a lease granted before the passing of this Act; or,

(*c.*) In respect of any improvement made either before or after the passing of this Act in pursuance

of a contract entered into for valuable consideration therefor; or,

(*d.*) (Subject to the rule in this section mentioned as to contracts) in respect of any improvement made, either before or after the passing of this Act, in contravention of a contract in writing not to make such improvement; or,

(*e.*) In respect of any improvement made either before or after the passing of this Act which the landlord has undertaken to make, except in cases where the landlord has failed to perform his undertaking within a reasonable time:

Exception of certain tenancies.

(2). A tenant of a holding under a lease or written contract made before the passing of this Act shall not be entitled on being disturbed by the act of the landlord in or on quitting his holding to any compensation in respect of any improvement, his right to which compensation is expressly excluded by such lease or contract:

(3.) A tenant of a holding under a lease made either before or after the passing of this Act for a term certain of not less than thirty-one years, or in case of leases made before the passing of this Act for a term of a life or lives with or without a concurrent term of years, and which leases shall have existed for thirty-one years before the making of the claim, shall not be entitled to any compensation in respect of any improvement unless it is specially provided in the lease that he is entitled to such compensation, except permanent buildings and reclamation of waste land, and tillages or manures, the benefit of which tillages or manures is unexhausted at the time of the tenant quitting his holding:

(4.) A tenant of a holding, who is quitting the same voluntarily, shall not be entitled to any compensation in respect of any improvement when it appears to the Court that such tenant has been given permission by his landlord to dispose of his interest in his improvements to an incoming tenant upon such terms as the Court may deem reasonable, and the tenant has refused or neglected to avail himself of such permission:

(5.) Out of any moneys payable to the tenant under this section all sums due to the landlord from the tenant or his predecessors in title in respect of rent, or in respect of any deterioration of the holding arising from non-observance on the part of the tenant of any express or implied covenant or agreement, may be deducted by the landlord, and also any taxes payable by the tenant due in respect of the holding and not recoverable by him from the landlord.

Any contract between a landlord and a tenant whereby the tenant is prohibited from making such improvements as may be required for the suitable occupation of his holding and its due cultivation shall be void both at law and in equity, but no improvement shall be deemed to be required for the suitable occupation of a tenant's holding and its due cultivation which appears to the Court to diminish the general value of the estate of the landlord, nor shall anything in this Act contained authorise or empower any tenant or occupier, without the previous consent in writing of the landlord, to break up or till any land or lands usually let, occupied, or used as grazing or grass lands, or let expressly as grazing or meadow land, or to cut timber without the consent of the landlord; provided that the tenant may cut timber planted and registered by him or his predecessors in title.

Any contract made by a tenant by virtue of which he is deprived of his right to make any claim which he would otherwise be entitled to make under this section shall, so far as relates to such claim, be void both at law and in equity, subject, however, to the enactment contained in the section of this Act relating to the partial exemption of certain tenancies, and to the provision in this section as to any improvement made in pursuance of a contract entered into for valuable consideration therefor.

Where a tenant has made any improvements before the passing of this Act on a holding held by him under a tenancy existing at the time of the passing thereof, the Court in awarding compensation to such tenant in respect of such improvements shall, in reduction of the claim of the tenant, take into consideration the time during which such tenant may have enjoyed the advantage of such improvements, also the rent at which such holding has been held, and any benefits which such tenant may have received from his landlord in consideration, expressly or impliedly, of the improvements so made.

Presumption in respect of improvements.

5. For the purposes of compensation under this Act in respect of improvements on a holding which is not proved to be subject either to the Ulster tenant-right custom or to such usage as aforesaid, or where the tenant does not seek compensation in respect of such custom or usage, all improvements on such holding shall, until the contrary is proved, be deemed to have been made by the tenant or his predecessors in title, except in the following cases where compensation is claimed in respect of improvements made before the passing of this Act;

(1.) Where such improvements have been made previous to the time at which the holding in reference to which the claim is made was conveyed on actual sale to the landlord or those through whom he derives title:

(2.) Where the tenant making the claim was tenant under a lease of the holding in reference to which the claim is made:

(3.) Where such improvements were made twenty years or upwards before the passing of this Act:

(4.) Where the holding upon which such improvements were made is valued under the Acts relating to the valuation of rateable property in Ireland at an annual value of more than one hundred pounds:

(5.) Where the Court shall be of opinion that in consequence of its being proved to have been the practice on the holding, or the estate of which such holding forms part, for the landlord to make such improvements, such presumption ought not to be made:

(6.) Where from the entire circumstances of the case the Court is reasonably satisfied that such improvements were not made by the tenant or his predecessors in title:

Provided always, that where it is proved to have been the practice on the holding, or the estate of which such holding forms part, for the landlord to assist in making such improvements, such presumption shall be modified accordingly.

Permissive registration of improvements.

6. Any landlord or tenant who may be desirous of preserving evidence of any improvements made by himself or by his predecessors in title before or after the passing of this Act may at any time (subject to the provisions herein-after contained) file a schedule in the Landed Estates Court specifying such improvements, and claiming the same as made by himself or his predecessors in title, and such schedule so filed shall be primâ facie evidence that such improvements were made as therein mentioned: Provided always, that notice in writing of the intention to file such schedule, together with a copy thereof, shall be given by the landlord to the tenant for the time being of the holding on which such improvements shall have been made (or by the tenant to the landlord, as the case may be,) within the prescribed time before applying to the Landed Estates Court to file the same; and if the person receiving such notice shall dispute the claim made by such schedule, either wholly or in part, he shall be at liberty within the prescribed time and in the prescribed manner to apply to the Civil Bill Court to determine the matter in difference, and in such case such schedule shall not be filed unless or until leave shall have been given to file the same either in its original or in any amended form by the Civil Bill Court; provided also, that before filing any such schedule proof shall be made in the Landed Estates Court by statutory declaration that the notice hereby required has been duly given, and that no application has been made within the prescribed time by the party receiving such notice to the Civil Bill Court, or (if any such application has been made) that leave has been given by the Civil Bill Court to file such schedule.

Compensation in respect of payment to incoming tenant.

7. Where any tenant of a holding does not claim or has not obtained compensation under sections one, two, or three of this Act, and it is proved to the satisfaction of the Court that any such tenant or that his predecessors in title on coming into his holding paid money or gave money's worth with the express or implied consent of the landlord on account of his so coming into his holding, the Court shall award to such tenant on quitting his holding in respect of the sum so paid such compensation as it thinks just, having regard to the circumstances of the case; but such tenant shall not be entitled to any compensation under this section when it appears to the Court that such tenant has been given permission by the landlord to obtain such satisfaction from an incoming tenant in respect of the money so paid, or the money's worth so given by him, and on such terms as the Court may think reasonable, and such tenant has refused or neglected to avail himself of such permission; moreover where the money or money's worth paid or given by any tenant claiming compensation under this section on coming into his holding was paid or given in whole or in part in respect or as covering the value of any improvements on the holding, care shall be taken that such tenant shall not receive compensation in respect of the same improvements under this section and also under some other section of this Act; provided that out of any moneys payable to the tenant under this section all sums due to the landlord from the tenant or his predecessors in title in respect of rent, or in respect of any deterioration of a holding arising from non-observance on the part of the tenant of any express or implied covenant or agreement, and also any taxes payable by the tenant due in respect of the holding, and not recoverable by him from the landlord, may, if not deducted under the provisions of section four of this Act, be deducted by or on behalf of the landlord: Provided always, that this section shall not apply when such money or money's worth has been paid during the existence of a lease made before the passing of this Act.

Compensation in respect of crops.

8. Where a holding is proved to be subject to the Ulster tenant-right custom or such usage as aforesaid, and where the tenant claims under such custom or usage, and such custom or usage extends to away-going crops, the compensation payable in respect of away-going crops shall be dealt with according to the custom or usage, but the tenant of every other holding, which is not proved to be subject to the Ulster tenant-right custom or such usage as aforesaid, or in respect of which no claim is made under such custom or usage, shall, in the absence of any agreement in writing to the contrary, on quitting his holding, be entitled to all his away-going crops, or at the option of the landlord to be paid the value of the same.

Limitation as to disturbance in holding.

9. For the purposes of this Act, ejectment for nonpayment of rent, or for breach of any condition against assignment,

sub-letting, bankruptcy, or insolvency, shall not be deemed disturbance of the tenant by act of the landlord; and for the purposes of this Act a person who is ejected for nonpayment of rent, or for breach of any such condition as aforesaid, and is not disturbed by act of the landlord within the meaning of this Act, shall stand in the same position in all respects as if he were quitting his holding voluntarily; provided that in the case of a person claiming compensation on the determination by ejectment for nonpayment of rent of a tenancy existing at the time of the passing of this Act, and continuing to exist without alteration of rent up to the time of such determination, the Court may, if it think fit, treat such ejectment as a disturbance if the arrear of rent in respect of which it is brought did not wholly accrue within the three previous years, and if any earlier arrear remained due from the tenant at the time of commencing the ejectment, or, if in case of any such tenancy of a holding held at an annual rent not exceeding fifteen pounds, the Court shall certify that the nonpayment of rent causing the eviction has arisen from the rent being an exorbitant rent; provided that no tenant who shall have given notice of surrender, and afterwards refuse to give up possession in pursuance of such notice, shall be entitled to any compensation under section three of this Act, though evicted by the landlord in a suit founded on such notice.

Exception in case of lands required for labourers cottages.

10. Any landlord may, after six months notice in writing, to be served upon the tenant, or left at his house, resume possession from a yearly tenant of so much land (not to exceed in the whole one twenty-fifth part of any individual holding), as he may require for the bonâ fide purpose of erecting thereon one or more labourers cottages, with or without gardens attached, and such resumption of land shall not, unless the Court shall be of opinion that same was unreasonable, be deemed a disturbance of the tenant within the meaning of this Act, and shall not subject the landlord to any claim for compensation, except in respect of improvements, beyond an abatement of rent proportionate to the annual value of the land so taken by the landlord.

Derivative title of tenant.

11. For the purposes of this Act a tenant shall be deemed to have derived his holding from the preceding tenant if he has paid to such preceding tenant any money or given to him any money's worth in respect of his holding, or has taken such holding by assignment or operation of law from the preceding tenant; and where a succession of tenants have derived title each from the other, the earlier in such succession shall be deemed to be the predecessor of the later, and the later in such succession shall be deemed to be the successor of the earlier.

Partial exemption of certain tenancies.

12. A tenant of a holding which is not proved to be subject to the Ulster tenant-right custom or such other usage as aforesaid, whose holding, or the aggregate of whose

holdings, in Ireland is valued under the Acts relating to the valuation of rateable property in Ireland at an annual value of not less than fifty pounds, shall not be entitled to make any claim for compensation under any provision of this Act in cases where the tenant has contracted in writing with his landlord that he will not make any such claim.

Restriction as to compensation in certain cases of assignment.

13. Where the holding in respect of which compensation is claimed under section three of this Act is held under a tenancy from year to year existing at the time of the passing of this Act, and such tenancy is assigned without the consent of the landlord, and the landlord does not accept the assignee as his tenant, no compensation shall be payable by the landlord under the said section in any of the cases following:

(1.) Where the rent of such holding is in arrear at the time of such assignment so as to render the tenant liable to eviction for nonpayment of rent, and such arrear is due by the tenant:

(2.) Where such holding forms part of an estate upon which the assignment of holdings without the consent or approval of the landlord is contrary to or not warranted by the practice prevalent upon such estate:

(3.) Where the Court shall be of opinion that the refusal of the landlord to accept such assignee as tenant is a reasonable refusal:

Provided always, that the transmission of a tenancy by bequest to the husband or wife, or to any one child or grandchild, or to any one brother or sister, or to any one child or grandchild of a brother or sister of the tenant, or the devolution of a tenancy by operation of law upon an intestacy or marriage, shall not be deemed an assignment within the meaning of this section.

Eviction in certain cases not to be deemed a disturbance.

14. Where it is proved to the Court that the tenant of any holding held under a tenancy from year to year existing at the time of the passing of this Act is evicted by the landlord by reason of the persistent exercise by such tenant of any right not necessary to the due cultivation of his holding, and from which such tenant is debarred by express or implied agreement with his landlord, such eviction shall not be deemed a disturbance of the tenant by the act of the landlord; or where the tenant of any holding so held as last aforesaid at the time of the passing of this Act is evicted by the landlord by reason of the tenant's unreasonable refusal to allow the landlord, or any person or persons authorised by him in that behalf, he or they making reasonable amends and satisfaction for any injury to be done or occasioned thereby, to enter upon the holding for any of the purposes following, that is to say,

Mining or taking minerals;

Quarrying or taking stone, marble, gravel, sand, or slate;

Cutting or taking timber or turf;

Opening or making roads, drains, and watercourses;

Viewing or examining the state of the holding and all buildings or improvements thereon;

Hunting, shooting, or fishing, or taking game or fish;

Such eviction shall not be deemed a disturbance of the tenant by the act of the landlord, unless it shall be shown that the landlord is persisting in such eviction after such refusal has been withdrawn by the tenant.

Exemption of certain lands.

15. No compensation shall be payable under the preceding provisions of this Act in respect of—

(1.) Any demense land, or any holding ordinarily termed "townparks" adjoining or near to any city or town which shall bear an increased value as accommodation land over and above the ordinary letting value of land occupied as a farm, and shall be in the occupation of a person living in such city or town, or the suburbs thereof, or any holding let to be used wholly or mainly for the purpose of pasture, and valued under the Acts relating to the valuation of property in Ireland at an annual value of not less than fifty pounds, or any holding let to be used wholly or mainly for the purposes of pasture the tenant of which does not actually reside on the same, unless such holding adjoins or is ordinarily used with the holding on which such tenant actually resides: Provided that nothing herein contained shall prevent the tenant of any such holding making any claim which he otherwise would be entitled to make under sections four, five, and seven of this Act; or

(2.) Any holding which the tenant holds by reason of his being a hired labourer or hired servant; or

(3.) Any letting in conacre or for the purposes of agistment or for temporary depasturage; or,

(4.) Any holding let and expressed in the document by which it is let to be so let for the temporary convenience or to meet a temporary necessity either of the landlord or tenant, and the letting of which has determined by reason of the cause having ceased which gave rise to the letting:

(5.) Any cottage allotment not exceeding a quarter of an acre.

Proceedings in respect of Claims.

Proceedings by tenant in respect of claims.

16. Every tenant entitled under this Act to make any claim in respect of any right or for payment of any sums due to him by way of compensation, and about to quit his holding, may within the prescribed time serve a notice of such claim on his landlord, or in his absence his known agent; the notice shall be in writing in the prescribed form, and shall state the particulars of such claim, subject to such amendment as the Court may allow, together with the dates at which and the periods within which such particulars are severally alleged to

have accrued, and, where such claim or any part of the same is in respect of compensation under the provisions of section three of this Act, the number of years rent claimed shall be specified.

Proceedings by landlord in respect of claims.

17. On the receipt of the notice the landlord shall be deemed to have admitted the claim made by the tenant, unless within the prescribed time and in the prescribed manner he serves a notice on the tenant, stating that he disputes the whole or some portion of the claim made by the latter, and upon service of such notice by a landlord on the tenant a dispute shall be deemed to have arisen between the landlord and the tenant as to the whole or a portion of such claim, and such dispute shall be decided by the Court, unless within the time and in the manner prescribed in that behalf such dispute shall have been settled by agreement between the landlord and tenant.

Equities between landlord and tenant.

18. On the hearing of any dispute between landlord and tenant under this Act, either party may make any claim, urge any objection to the claim of the other, or plead any set-off such party may think fit (including in the case of a landlord any moneys paid on account of the purchase of the right of the tenant under the Ulster tenant-right custom or such usage as aforesaid), and the Court shall take into consideration any such claim, objection, or set-off, also any such default or unreasonable conduct of either party as may appear to the Court to affect any matter in dispute between the parties, and shall admit, reduce, or disallow altogether any such claim, objection, or set-off made or pleaded on behalf of either party as the Court thinks just, giving judgment on the case with regard to all its circumstances, including such consideration of conduct as aforesaid, and the Court shall have jurisdiction at the hearing of any such dispute to ascertain what sums, if any, shall be deemed due by the tenant to the landlord under sections three, four, and seven of this Act, or any set-off in respect of unliquidated or liquidated damages under said sections, or any of them; and in any case in which compensation shall be claimed under section three of this Act, if it shall appear to the Court that the landlord has been and is willing to permit the tenant to continue in the occupation of his holding upon just and reasonable terms, and that such terms have been and are unreasonably refused by the tenant, the claim of the tenant to such compensation shall be disallowed.

Order of Court to be in writing, &c.

19. In every case of dispute between landlord and tenant heard before the Civil Bill Court, the order of the Court shall be reduced into writing in the form of a decree or award (as the case may be), and shall state the items of claim allowed, that is to say, the particulars of loss sustained by the tenant in quitting his holding, and of the improvements and payment to his predecessor in title in respect to which compensation may have been awarded to the tenant under the

third, fourth, and seventh sections, and also the particulars of any set-off, objection, default, or conduct allowed or taken into account; such decree or award to be made in the prescribed form.

Provision in case of derivative estates in the same holding.

20. Where in the case of any holding there are several persons standing in the relation to each other of landlord and tenant, and the circumstance of any one of such tenants quitting his holding by reason of disturbance or otherwise involves the interest of any of such persons other than the tenant quitting his holding, the Court shall determine the whole amount payable under this Act on the occasion of such tenant quitting his holding, and shall direct payment of the same by such person, and to such one or more of the persons interested, and in such manner, as the Court thinks just; provided that this section shall not affect the Ulster tenant-right custom or such usage as aforesaid to which any holding is proved to be subject.

Restriction on eviction of tenant.

21. A tenant who may be decided by the Court to be entitled to compensation to be paid by any landlord shall not be compelled by process of law to quit his holding until the amount of compensation due to him has been paid or deposited in manner herein-after mentioned. A landlord shall in all cases have the option of depositing in the manner prescribed the amount of compensation due; and if at any time after the making of a claim for compensation as herein-before directed, and before finally giving up possession of his holding, a tenant shall be alleged to have done any damage to his holding, or the buildings thereon, the Court shall inquire into the same, and allow to the landlord out of the money so deposited such compensation as it may deem just, including mesne rates. In no case shall a tenant, except by special leave of the Court, be entitled to receive the money so deposited until he shall have given up possession of his holding. Where compensation is awarded in respect of any holding to be paid by any landlord who is himself a tenant of such holding, the tenant to whom such compensation is awarded shall not by reason of such compensation not being paid or deposited in manner aforesaid by such landlord be entitled under this section, as against a superior landlord not liable to such compensation, to retain possession of the holding after the expiration or determination of the title thereto of the landlord by whom such compensation was so awarded to be paid as aforesaid.

Court to award Compensation.

Court to mean Civil Bill Court or Court of Arbitration.

22. For the purposes of this part of this Act the Court shall mean one or other of the tribunals following; that is to say,

The Civil Bill Court of the county where the matter requiring the cognizance of the Court arises; or,

The Court of Arbitration constituted as in this Act mentioned.

Where a matter requiring the cognizance of the Court arises in respect of a holding situate within the jurisdiction of more than one Civil Bill Court, any Civil Bill Court within the jurisdiction of which any part of the holding is situate may take cognizance of the matter.

Civil Bill Court.

23. The judge of the Civil Bill Court (herein-after called the chairman) shall in all cases brought before him under the provisions of this Act have power to take evidence upon oath, and to compel the attendance of witnesses, and shall have all and the same powers, jurisdiction, and authority as in cases of Civil Bill ejectment coming within his jurisdiction as such judge: Provided always, that the judge shall himself without a jury decide any question of fact arising in any case brought before him under this Act.

The chairman may, with the consent of both parties, hear and determine any case brought before him under this Act in chamber, if he so thinks fit, and when so sitting in chamber he shall have all and the same powers, jurisdiction, and authority in respect to cases so heard as if sitting in open court.

The chairman may, within the prescribed time after making any order, review or rescind or vary any order previously made by him, but, save as aforesaid, and as provided by this Act with respect to appeal, every order of the Civil Bill Court shall be final.

Any order made by the chairman under this Act may be enforced by attachment or otherwise in the same manner as if it were the order of any of the superior courts of common law at Dublin, and if such order made by the chairman be for the payment of money, it may also be enforced in the same manner as civil bill decrees for money demands made by such chairman.

Appeal from Civil Bill Court.

24. Any person aggrieved by any order of the chairman made under this Act may, within the prescribed time and in the prescribed manner, appeal therefrom in manner following; that is to say,

(1.) Where such order has been made in the county or the county of the city of Dublin, to two judges of the superior courts of common law to be from time to time selected by the Court for Land Cases reserved:

(2.) Where such order has been made elsewhere, to the judges of assize of the county in which such order has been made:

And every such appeal may be heard and determined by one of the said judges; but in case any question of law shall arise upon any such appeal, the judge before whom such question arises may, if he thinks fit, require that the same shall be heard and determined by both the said judges, and thereupon such question shall be heard and determined by both the said judges, who shall for such purpose sit together.

The judge or judges hearing such appeal may give judgment affirming, reversing, or modifying the order appealed from,

and may finally decide thereon, and make such order as to costs in the Court below and of the appeal as may be agreeable to justice; and if the judge or judges alter or modify the order, such order so altered or modified, and signed by the judge or judges, shall be of the like effect as if it were the order of the Civil Bill Court. The judge or judges may also, in cases where he or they think it expedient so to do, instead of making a final order, remit the case, with such directions as he or they may think fit, to the Court below.

The judges to whom any such appeal may be made may, where they deem it expedient, reserve any matter or question arising upon such appeal by way of case stated for the consideration of the Court for Land Cases reserved at Dublin.

The Court for Land Cases reserved at Dublin shall, for the purposes of this Act, be constituted in manner following; that is to say, the Lord Chancellor, the Master of the Rolls, the Lord Justice of Appeal, the Vice-Chancellor, and all the judges of the Common Law Courts shall be judges of the said Court for Land Cases reserved, and any five of such judges, the Lord Chancellor or Master of the Rolls, or Lord Justice of Appeal, or the Vice-Chancellor or one of the chief judges of the Common Law Courts being one, shall have power to hear and determine any matters that shall be brought before the said Court.

The officers of the Court of Exchequer Chamber shall act as officers of the Court for Land Cases reserved.

All cases referred to the Court for Land Cases reserved shall be prosecuted, heard, and determined by such Court in such manner and form and subject to such rules and regulations as the said Court may from time to time by rule direct.

The Court for Land Cases reserved shall give such judgment as ought to have been given in the Court below by the judges thereof, and such judgment shall be of the like effect as if it were the judgment of the said judges, or the Court of Land Cases reserved may remit the case, with such directions as they think fit, to the Court below.

Court of Arbitration.

25. Where the parties to any such dispute as aforesaid respecting any holding are desirous that such dispute should be settled by arbitration, they shall, in the prescribed manner and within the prescribed time, refer the same to an arbitrator or arbitrators, with an umpire to be appointed in manner appearing in the schedule annexed hereto, and the tribunal so selected shall be deemed in respect of such dispute the Court of Arbitration under this Act.

The Court of Arbitration shall, in all cases brought before it under this Act, have all and the like powers, jurisdiction, and authority as a Civil Bill Court under this Act, with this exception, that the Court of Arbitration shall have no power to punish persons for contempt, or to enforce its awards; but it may report to the Civil Bill Court the name of any person refusing to give evidence, or to produce documents, or guilty

of contempt of the Court when sitting judicially; and the Civil Bill Court may, upon such report, punish the offender in the same manner as if the offence had been committed in, or in respect of a matter under the cognizance of the Civil Bill Court.

The award of the Court of Arbitration may, at the instance of either party, be recorded in the prescribed manner and within the prescribed time in the Civil Bill Court, and when so recorded shall be enforceable as if the same were an order of said Court.

No such award shall, so far as relates to the dispute under this Act, be held to be invalid by reason of the violation of or non-compliance with any technical rule of law respecting awards, where such award substantially decides the dispute referred to the Court of Arbitration.

No appeal shall lie from an award of the Court of Arbitration, nor shall any such award be removable by certiorari.

Powers of limited Owners.

Interpretation of "limited owner."

26. The expression "limited owner" shall in this Act mean as follows:

(1.) Any person entitled under any existing or future settlement at law or in equity, for his own benefit and for the term of his own life, to the possession or receipt of the rents and profits of land, whether subject or not to incumbrances, in which the estate for the time being subject to the trusts of the settlement is an estate for lives or years renewable for ever, or is an estate renewable for a term of not less than sixty years, or is an estate for a term of years of which not less than sixty are unexpired, or is a greater estate than any of the foregoing estates:

(2.) Any body corporate, any corporation sole, ecclesiastical, or lay, any trustees for charities, and any commissioners or trustees for ecclesiastical, collegiate, or other public purposes, entitled at law or in equity, in the case of freehold land, to an estate in fee simple or in fee farm, and in the case of leasehold land to a lease for an unexpired residue of not less than thirty-one years, or for a term of years or of lives renewable for ever, or renewable for a period of not less than thirty-one years.

Agreement by limited owner.

27. A landlord, being a limited owner, shall have power to agree with a tenant as to the amount of compensation payable to him under this Act, and on payment of the same to the tenant may apply to the Civil Bill Court for an order charging the holding with an annuity in respect of such payment, and the Court, upon being satisfied of such payment having been made, shall charge the holding with an annuity of five pounds for every one hundred pounds of the sum so paid to the

tenant, and so on in proportion for any less sum, such annuity to be limited in favour of the limited owner, his executors, administrators, and assigns, and to be payable for a term of thirty-five years on the anniversary of such date: Provided that no such order shall be made by the Court unless notice of the application for the same shall have been given in the prescribed form to the person for the time being entitled to the first estate of inheritance, if any, expectant upon the determination of the estate of the limited owner, or if such person shall be a married woman, infant, or lunatic, to his or her husband, guardian, or committee respectively. Any annuity created under this section shall be a charge upon the holding having priority over all estates and interests subsequent to the estate or interest of the limited owner, but subject to any estates, mortgages, or other interests having priority over or charged on the estate of the limited owner.

Power of limited owner to grant leases.

28. Any limited owner shall have power to grant agricultural leases for any term of years absolute, or determinable at fixed periods, subject to the following restrictions:

(1.) The term of any lease shall not exceed thirty-five years:

(2.) The power of leasing conferred by this Act shall not include any mansion house or demesne lands:

(3.) The lease shall take effect in possession, or within one year after the execution thereof, and not in reversion, and there shall be reserved thereby a fair yearly rent to be incidental to the immediate reversion of the holding, without taking anything in the nature of a fine, premium, or foregift; and in estimating such yearly rent it shall not be necessary to take into account against the tenant the increase (if any) in the value of the holding arising from any improvements executed by him or his predecessors in title:

(4.) The lease shall imply a condition of re-entry for non-payment of the rent thereby reserved:

(5.) The lease, if it includes any building, shall contain a clause declaring whether the landlord or the tenant is bound to rebuild such building in the case of the same being destroyed during any part of the tenancy by fire, lightning, or tempest, and whether the landlord or the tenant is bound to keep the same in repair:

(6.) The lessee shall execute a counterpart of every lease, and shall thereby covenant for the due payment of the rent reserved:

Upon the application of any landlord or tenant the Civil Bill Court may confirm any lease granted or proposed to be granted under this Act, and such Court may, if it thinks just, confirm or refuse to confirm such lease with or without modifications, and the confirmation of any such lease shall

be deemed conclusive evidence of the lease being within the powers of this Act; the confirmation of a lease shall be certified in the prescribed manner.

Effect of lease by limited owner.

29. Any lease granted in pursuance of this Act by an individual limited owner shall be valid against the person granting the same, and against all persons entitled to any estate or interest subsequent to the estate or interest of such limited owner; and any lease granted in pursuance of this Act by any limited owner, being a body corporate, corporation sole, trustees for charities, commissioners or trustees for ecclesiastical, collegiate, or other public purposes, shall bind all the estate and interest of such last-mentioned limited owner; but no lease granted by an owner holding himself under a lease shall continue after the expiration of the term granted by such owner's lease.

Leasing powers of Act to be cumulative.

30. All powers of leasing given by this Act shall be deemed to be in addition to any other powers any limited owner may possess, and such owner may exercise any other power of leasing vested in him in the same manner as if this Act were not passed.

Rules for carrying first part of Act into effect.

31. The Court for Land Cases reserved, or any five of the judges of the said Court (the Lord Chancellor or Master of the Rolls, Lord Justice of Appeal or Vice-Chancellor, or one of the chief judges of the Common Law Courts being one), may from time to time make, and when made may rescind, annul, or add to, rules with respect to the following matters:—

(1.) The proceedings in the Civil Bill Court and Court of Arbitration under this part of this Act:

(2.) The proceedings in appeals under this part of this Act:

(3.) The proceedings in land cases reserved under this part of this Act:

(4.) The circulation of forms and directions as to the mode in which this part of this Act is to be carried into execution:

(5.) The scale of costs and fees to be charged in carrying this part of this Act into execution, and the taxation of such costs and fees, and the persons by or from whom and the manner in which such costs and charges are to be paid or deducted, subject nevertheless to the sanction of the Treasury as to the amount of fees to be charged:

(6.) The service of notices on incumbrancers and other persons interested, and any other matter by this part of this Act directed to be prescribed:

(7.) As to any other matter or thing, whether similar or not to those above mentioned, in respect of which it may be expedient to make rules for the purpose of carrying this part of this Act into effect.

Any rules made in pursuance of this section shall be deemed to be within the powers conferred by this Act, and shall be of

the same force as if enacted in this Act, and shall be judicially noticed.

Any rules made in pursuance of this section shall be laid before Parliament within three weeks after they are made if Parliament be then sitting, and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament.

PART II.

Sale of Land to Tenants.

Application to "the Court" for sale to tenant of holding.

32. Subject to the restrictions herein-after mentioned, the landlord and tenant of any holding in Ireland may agree for the sale of the holding to the tenant at such price as may be fixed between them; and upon such agreement being made they may jointly, or either of them may separately with the assent of the other, apply to the Landed Estates Court, in this part of this Act referred to as "the Court," for the sale to the tenant of his holding.

Restrictions on sale of holding.

33. No sale shall be made under this part of this Act unless the landlord is the absolute owner of the land which forms the holding of the tenant, or such tenant for life or other limited owner as is in this section mentioned.

"Absolute owner" shall in the case of freehold land mean the owner in fee simple or in fee farm, or person capable of appointing or disposing of the fee, whether subject or not to incumbrances, and in the case of leasehold land mean the owner or person capable of disposing of the whole interest in the lease under which the land is held, whether subject or not to incumbrances.

No holding of leasehold tenure shall be sold under this part of this Act unless the lease under which the landlord is possessed of the land which forms the holding is a lease for lives or years renewable for ever, or a lease for a term of years of which not less than sixty are unexpired at the time of the sale being made; and no sale shall be made under this part of this Act by a landlord being the owner of a leasehold under a lease containing a prohibition against alienation unless such prohibition has determined or is waived.

"Tenant for life" shall, for the purposes of this part of this Act, mean any person entitled under any existing or future settlement at law or in equity for his own benefit and for the term of his own life to the possession or receipt of the rents and profit of land, whether subject or not to incumbrances in which the estate for the time being, subject to the trusts of the settlement, is an estate in fee simple or fee farm, or a lease of such duration as is in this section mentioned.

"Other limited owner" shall mean any body corporate, any trustees for charities, and any commissioners or trustees for collegiate or other public purposes, having an estate in fee simple or fee farm, or possessed of such leasehold as is in

this section mentioned, whether subject or not to incumbrances.

As to the sale of holding by the Court.

34. The application shall be accompanied by a deposit of such sum (if any), to be deposited by the landlord by way of security for costs, as the Court may require. Upon the foregoing conditions being complied with the Court shall make such inquiries as to the circumstances of the holding in respect of which the application is made, and as to the parties interested therein, either as incumbrancers, owners, or otherwise, and as to the sufficiency of the price and of the capacity of the landlord to sell the same, as the Court may think fit, and if the Court approve of the application it shall carry such sale into effect accordingly, and execute the necessary conveyance to the tenant.

Estate of purchaser to be free from incumbrances.

35. The conveyance by the Court under this part of this Act of a holding to a tenant shall in the case of freehold land confer on the tenant an estate in fee simple or fee farm, as the case may be, in such holding, together with all rights, privileges, and appurtenances enjoyed or reputed as belonging or appertaining thereto, subject to such charges and interests, if any, as are in this part of this Act declared not to be incumbrances, and in the case of estates in fee farm to the rents, covenants, and conditions expressed in the grant relating to the land of which the holding forms the whole or part, and on the part of the grantee, his heirs, executors, administrators, and assigns, to be paid, observed, and performed, but free from all other estates, incumbrances, and interests whatever, and shall in the case of leasehold land vest the holding in the tenant for the period, and subject to the rents, covenants, and conditions, expressed in the lease relating to the land of which the holding forms the whole or part, and on the part of the lessee, his executors, administrators, and assigns to be paid, observed, and performed, subject to such charges and interests, if any, as are in this part of this Act declared not to be incumbrances, but free from all other incumbrances and estates whatsoever.

Certain charges not incumbrances.

36. The following charges and interests shall not be deemed incumbrances within the meaning of this part of this Act; that is to say,

(1.) Quitrents and rentcharges in lieu of tithes:

(2.) Rights of common, rights of way, watercourses, and rights of water and other easements:

(3.) Heriots, manorial rights of all descriptions, and franchises:

(4.) Charges for drainage, or other charges created under Act of Parliament, and to be specified in the conveyance.

And every holding sold under this part of this Act shall, unless the contrary is expressed, be deemed to be subject to such of the above charges and interests as may be for the time being subsisting thereon.

As to the distribution of purchase money.

37. The Court shall determine the rights and priorities of the several persons entitled to or having charges upon or otherwise interested in any holding sold in pursuance of this Act, and shall distribute the purchase money in accordance with such rights and priorities.

Where any moneys arising from a sale under this part of this Act are not immediately distributable, or the parties entitled thereto cannot be ascertained, or where from any other cause the Court thinks it expedient for the protection of the rights of the parties interested, the Court may order the moneys to be lodged in Court or in the prescribed bank to the prescribed account, and may by its order declare the trusts affecting such moneys, so far as the Court has ascertained the same, or state the facts or matters found by it in relation to the rights and interests in such moneys; and the Court may from time to time make such orders in respect to any such moneys, and the investment or application thereof, or the payment thereof to the parties interested, as the circumstances of the case may require.

Costs of sale.

38. There shall be charged, in respect of any sale made in pursuance of this part of this Act, such per-centage fee on the price paid as the Treasury may prescribe, and the fees so charged shall be paid in to the receipt of Her Majesty's Exchequer, and carried to the account of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Cost of distribution of purchase money.

39. Where any purchase moneys have been so lodged in Court or in the prescribed bank, provision shall be made in the prescribed manner with the sanction of the Treasury for the payment without cost to the persons entitled to any estate or interest in or having charges upon the holding so sold of any principal or interest moneys to which such persons may be entitled in respect of such estate and interest: Provided that any provision so made shall not extend to any expense caused by disputed titles, or any expense incurred by the failure of any person to comply with the rules for the time being in force relating to the distribution of such purchase moneys.

General powers of Court in conduct of sale of land.

40. The Court shall have full power to apportion charges, rents, and covenants, and decide all questions whatsoever, which it may be necessary to decide for the purposes of this Act, and shall not be subject to be restrained in the due execution of their powers under this Act by the order of any Court.

Rules for carrying second part of this Act into effect.

41. The Privy Council in Ireland may from time to time make, and when made may rescind, annul, or add to, rules with respect to the following matters:

(1.) The proceedings to be had under this part of this Act:

(2.) The circulation of forms and directions as to the mode in which this part of this Act is to be carried into execution:

(3.) The scale of costs and fees to be charged in carrying this part of this Act into execution, and the taxation

of such costs, and the persons by whom such costs and fees are to be paid, subject nevertheless to the sanction of the Treasury as to the amount of fees to be charged:

(4.) The giving of notices to incumbrancers and other persons interested, and the service of such notices and any other matter by this part of this Act directed to be prescribed:

(5.) As to any other matter or thing, whether similar or not to those above mentioned, in respect of which it may be expedient to make rules for the purpose of carrying this part of this Act into execution:

In framing rules under this section the Privy Council shall provide that notice of any sale to be made under this part of this Act shall be served upon every registered incumbrancer by sending it through the post in a prepaid letter addresed to such incumbrancer, and in proving service of any such notice it shall be sufficient to prove that such notice was properly directed to the incumbrancer at his last known place of abode, and that it was put as a prepaid letter into the post office.

Any rules made in pursuance of this section shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if enacted in this Act, and shall be judicially noticed.

Any rules made in pursuance of this section shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament.

PART III.

Advances by and Powers of Board.

Advances to landlords for compensation for improvements.

42. Where any sums are due in respect of compensation under this Act from a landlord to a tenant who is quitting his holding, but has not been disturbed by his landlord, the Commissioners of Public Works in Ireland, in this Act referred to as the Board, may, upon the application of such landlord, advance to the tenant on behalf of the landlord the whole or such portion of the sum so due as they may think expedient, and upon an order being made to that effect by the Civil Bill Court, and upon such advance being made by the Board, such holding shall be deemed to be charged with an annuity of five pounds for every one hundred pounds of such advance, and so in proportion for any less sum, such annuity to be limited in favour of the Board, and to be declared to be payable within a term of thirty-five years.

Advances to landlords for improvement of waste lands.

43. The Board may from time to time upon such security as they may approve advance such sums as they may think fit to any landlord in Ireland for the purpose of enabling him to reclaim waste lands; and where any landlord has contracted

for the sale of any waste land the Board may advance upon security jointly given by the vendor and purchaser such sums as they may think fit, not exceeding a moiety of the purchase money contracted to be paid; and such waste land, and any other lands included in any such security, shall, upon an order being made to that effect by the Civil Bill Court, and upon such advance being made by the Board, be deemed to be charged with an annuity of five pounds for every one hundred pounds of such advance, and so in proportion for any less sum, such annuity to be limited in favour of the Board, and to be declared to be repayable within a period of thirty-five years.

Advances to tenants for purchase of holdings.

44. The Board, if they are satisfied with the security, may advance to any tenant for the purpose of purchasing his holding in pursuance of this Act any sum not exceeding two thirds of the price of such holding, and upon an order being made by the Civil Bill Court to that effect, and upon such advance being made by the Board, such holding shall be deemed to be charged with an annuity of five pounds for every one hundred pounds of such advance, and so in proportion for any less sum, such annuity to be limited in favour of the Board, and to be declared to be repayable in the term of thirty-five years.

No purchaser, or person deriving title through him, of any holding to whom any advance has been made under this section shall, without the consent of the Board, alienate, assign, subdivide, or sublet his holding during such time as any part of the annuity charged on such holding remains unpaid, and any part of such holding alienated, assigned, subdivided, or sublet in contravention of this section shall be forfeited to the Board, to be held by them for public purposes.

Advances to tenants for purchases of holdings in Landed Estates Court.

45. Where an absolute order for the sale of any estate has been made by the Landed Estates Court, and the tenant of any holding forming part of such estate is desirous to purchase such holding, he may apply to the Board in the prescribed manner to advance any sum not exceeding two thirds of the amount he may pay for the purchase of the same, and the Board may, subject to such conditions as to the price to be paid for such holding and to any matter relating to such purchase, as they think fit, agree with such tenant to make such advance.

When any such tenant has been declared the purchaser of a holding, and has paid one third or any greater part of the purchase money, the Board may pay the balance of such purchase money instead of such tenant, and upon such payment being made by the Board the Landed Estates Court shall by order declare such holding to be charged with an annuity of five pounds for every hundred pounds of such advance, and so in proportion for any less sum, such annuity to be limited in favour of the Board, and to be declared to be repayable in the term of thirty-five years.

Any holding charged by order of the Landed Estates Court in manner aforesaid shall not, without the consent of the Board, be alienated, assigned, subdivided, or sublet during such time as any part of the annuity charged on such holding remains unpaid, and any part of such holding alienated, assigned, subdivided, or sublet in contravention of this section shall be forfeited to the Board, to be held by them for public purposes.

Landed Estates Court to afford facilities for purchases by occupying tenants.

46. The Landed Estates Court shall on the sale of estates by said Court, so far as is consistent with the interests of the persons interested in the estates or the purchase money thereof, afford, by the formation of lots for sale or otherwise, all reasonable facilities to occupying tenants desirous of purchasing their holdings under the provisions of this Act, and for that purpose shall hear any application in that behalf made by the Board or any such occupying tenant.

Advances to facilitate purchases of entire estates.

47. Where the landlord of an estate is willing to contract for the sale under the second part of this Act of his estate in its entirety but not in part, and the tenants of the holdings comprising four fifths in value of such estate are willing to purchase their holdings, and other purchasers can be found to buy the residue of such estate, and to pay one half of the purchase money payable in respect of such residue, such sale may be made accordingly under the second part of this Act in the same manner as if the whole of the purchasers of the estate were tenants of the landlord, and the Board may advance to such other purchasers one half of their purchase money upon the security of the residue of the estate, and such advance may, at the discretion of the Board, be made to such purchasers collectively on the security of the whole of the residue of such estate, or to such purchasers severally on the security of the portions bought by them respectively, or partly in one way and partly in the other. Where any advance is made to purchasers or a purchaser under this section, the land bought by such purchaser or purchasers shall, on an order made to that effect by the Civil Bill Court, be charged with an annuity of five pounds for every one hundred pounds of such advance, and so in proportion for any less sum, such annuity to be limited in favour of the Board, and to be declared to be repayable within the term of thirty-five years.

Advances charged on estate by way of annuity.

48. Every annuity created in favour of the Board in pursuance of this Act shall be a charge on the land subject thereto having priority over all existing and future estates, interests, and incumbrances, with the exception of quitrents and other charges incident to the tenure, to rentcharges in lieu of tithes, and any charges created under any Act authorising advance of public money, or under any Act creating charges in respect of improvements on lands, and passed before this Act, with the exception also (in cases where the

lands are subject to a fee-farm rent, or held under a lease reserving rent) of such fee-farm rent or rent reserved as aforesaid. The term during which every such annuity shall be payable shall be computed from the date of the advance in respect of which the same shall be charged, and every such annuity shall be payable in equal half-yearly payments on every first day of May and every first day of November during the said term of thirty-five years, with such apportionment, if any, as may be necessary in respect of the first and last of such payments.

Recovery of annuity.

49. Every annuity created in pursuance of this Act shall be recoverable by the Board or by or in the name of the Attorney General for Ireland in manner in which rentcharges in lieu of tithes are recoverable in Ireland; a certificate purporting to be under the hand of a member for the time being of the Board shall be evidence that the amount of any annuity or arrears of annuity stated therein to be due under this Act from any person named therein is due to the Board from such person.

Arrears of annuity.

50. No arrears of any annuity charged on land in pursuance of this Act shall be recoverable after the expiration of two years from the date at which the sum in arrear became due; and as between owners having successive interests in any land so charged it shall be the duty of the owner for the time being in possession or in receipt of the rents and profits of such land to prevent such arrears arising, and if he make default in doing so, and the owner next entitled in possession pay any arrears caused by such default, the amount so paid shall be a debt due to the owner who has paid the same from the owner by whose default it became necessary to make such payment.

Power of owner to redeem annuity.

51. Where any land is charged with an annuity in favour of the Board, it shall be lawful for any person liable to pay such annuity to redeem the said annuity, or so much thereof as may at any time remain unexpired, by payment to the Board of a sum of money equivalent to the then value of the said annuity, such value to be calculated according to the table in the schedule annexed hereto.

Power of Board to commute and compromise.

52. Where any person is entitled to receive any principal moneys in pursuance of the sale of any holding made by them in pursuance of this Act, the Board may, on the application of such person, commute such principal moneys for the payment of an annuity of equivalent value, the value of money being reckoned at three pounds ten shillings per cent. per annum; and where any such person as aforesaid is entitled to the payment of a sum annually, the Board may commute the same for the payment of a principal sum of equivalent value, the value of money being reckoned at three pounds ten shillings per cent. per annum.

The Board may also, with the assent of the claimant, compromise by the payment of any principal or annual sum any

postponed contingent or doubtful or other claim of any person to any share or interest in the purchase money arising from the sale of any holding under this Act.

Control of Board by Treasury, &c.

53. The Board shall in making advances, in the mode of investing and dealing with the funds that come into their possession, and in the mode of accounting for the same, and generally in the performance of their duties under this Act, conform to any directions, whether given on special occasions or by general rule or otherwise, which may from time to time be given to them by the Treasury, and shall report within such time and in such manner as the Treasury may direct to the Treasury all matters which may be transacted by the Board.

As to issues of moneys to the Board by Treasury.

54. There shall be issued to the Board for the purposes of this Act, at such times and in such sums and in such manner as the Treasury may determine, any sums of money not exceeding in the whole one million pounds, and the Treasury may from time to time issue to the said Board the said sum of one million pounds out of the Consolidated Fund or the growing produce thereof.

Repayment to Consolidated Fund of moneys advanced.

55. All repayments to the Board of principal sums or by way of annuities in respect of advances made by them shall from time to time be paid back to the Consolidated Fund in such manner as the Treasury may direct.

Duty of Civil Bill Court as to charging orders.

56. The Civil Bill Court shall, on the application of any person entitled to an annuity by this Act directed to be charged by order of the Civil Court, make an order charging the same accordingly, and the clerk of the peace of the county in which such Court has jurisdiction shall keep an alphabetical registry in his office of all charging orders so made by the Court, and shall allow any person to inspect the same at all reasonable times on the payment of one shilling.

For the purpose of making charging orders in respect of any holding the Civil Bill Court of the county in which such holding or any part thereof is situate shall be deemed to have jurisdiction over such holding.

PART IV.

Supplemental Provisions.

As to Legal Proceedings and Court.

Stamp duty on notice to quit.

57. There shall be paid in respect of every notice to quit to be served on a tenant of a holding as defined under this Act a duty of two shillings and sixpence, and such payment shall be denoted by a stamp on the notice.

Regulations as to notice to quit.

58. No notice to quit shall be valid unless it is printed or written, or partly in print and partly in writing, and signed by the landlord or his agent lawfully authorised thereunto, nor unless such notice at the time of the service thereof is duly stamped with a stamp denoting the payment of a duty of two shillings and sixpence. A notice to quit shall not in the case of a tenant from year to year take effect until after the

expiration of a period of not less than six calendar months from the date of the service of the notice, such period of six calendar months, in the absence of agreement to the contrary, to terminate on the last gale day of the calendar year. Any person serving on a tenant a notice to quit that is not in conformity with this section shall incur a penalty not exceeding forty shillings, to be recovered summarily under the provisions of the Petty Sessions (Ireland) Act, 1851.

In any proceedings between landlord and tenant, where the due service of a notice to quit has been proved, such notice to quit shall, until the contrary is proved, be deemed to have been duly stamped.

Administration on death of tenant.

59. The Civil Bill Court in any county on being satisfied that a tenant in such county has died, and that there is no legal personal representative of such tenant or no legal personal representative whose services are available for the purposes of this Act, may, if a legal representation of the tenant is required for the purposes of this Act, by order appoint such person as it thinks best entitled to be administrator of the deceased tenant limited to the purposes of this Act, and any such limited administrator shall for all the purposes of this Act represent the deceased tenant in the same manner as if the tenant had died intestate, and administration had been duly granted to such limited administrator of all the personal estate and effects of the tenant.

Provision as to married women.

60. A married woman entitled to her separate use, and not restrained from anticipation, shall for the purposes of this Act be deemed a feme sole, but where any other married woman is desirous of making any application, giving any consent, or doing any act, or becoming party to any proceeding under this Act, in relation to any holding, her husband's concurrence shall be required, and she shall be examined by the Civil Bill Court of the county where she may for the time being be, or of the county where the holding is situate, apart from her husband touching her knowledge of the nature and effect of the application or other act, and it shall be ascertained that she is acting freely and voluntarily.

Provision as to other persons under disability.

61. Where any person who (if not under disability) might have made any application, given any consent, done any act, or been party to any proceeding in relation to any holding under this Act, is a minor, idiot, or lunatic, the guardian or committee of the estate respectively of such person may make such applications, give such consents, do such acts, and be party to such proceedings, as such person respectively, if free from disability, might have made, given, done, or been party to, and shall otherwise represent such person for the purposes of this Act; where there is no guardian or committee of the estate of any such person as aforesaid, being infant, idiot, or lunatic, or where any person the committee of whose estate if he were idiot or lunatic would be authorised to act for and represent such person under this part of this Act is of unsound

mind or incapable of managing his affairs, but has not been found idiot or lunatic under an inquisition, it shall be lawful for the Civil Bill Court of the county in which the holding is situate to appoint a guardian of such person for the purpose of any proceedings under this part of this Act, and from time to time to change such guardian; and where such Civil Bill Court sees fit it may appoint a person to act as the next friend of a married woman for the purpose of any proceeding under this Act, and from time to time to remove or change such next friend.

Additional sittings of Civil Bill Court.

62. For the purposes of carrying into effect the provisions of this Act the judges of Civil Bill Courts in Ireland shall, in addition to the Civil Bill Courts now by law directed, hold such Courts in such places within their respective jurisdictions as may be prescribed by the Privy Council in Ireland.

Additional salaries to judges and officers of Civil Bill Courts.

63. There shall be paid to the judges and officers of the Civil Bill Courts and to the officers of the Court of Exchequer Chamber in Ireland, by way of remuneration for the additional duties by this Act imposed upon them, such annual sums by way of additional salaries respectively as the Lord Lieutenant may direct and the Commissioners of Her Majesty's Treasury may approve, and all such sums shall be paid by the said Commissioners out of moneys to be provided by Parliament for that purpose.

Power to appoint a substitute in Civil Bill Court if judge cannot attend.

64. In case it shall appear to the Lord Chancellor that from any reasonable cause the judge of any Civil Bill Court cannot conveniently hold the Courts prescribed under this Act, he may appoint any other judge of a Civil Bill Court to hold such Courts in his stead, and thereupon the judge so appointed shall hold such Courts as aforesaid, and shall for the purposes thereof have all and every the powers, authority, and jurisdiction of the judge in whose stead he shall have been appointed, and so long as he shall continue to act in his stead there shall be paid to him instead of to the said judge, the additional salary payable to the said judge under this Act.

PART V.

Miscellaneous.

Mode of payment of grand jury cess in certain cases.

65. Any person who, under any tenancy whatsoever created after the passing of this Act, becomes the occupier of any premises liable to grand jury cess, and who is liable to pay a rent in respect of the same, may deduct from such rent, for each pound of the rent which he is liable to pay, one half of the sum which he has paid as grand jury cess in respect of each pound of the net annual value of such premises as valued under the Acts relating to the valuation of rateable property in Ireland, and so in proportion for any less sum than a pound: Provided always, that it shall not be lawful for any such person to deduct from the rent payable by him for such premises a larger sum than one half of the amount of the cess that has been paid by him in respect of the same.

Any person receiving rent in respect of any premises liable to grand jury cess, who also pays a rent in respect of the same, shall, if such rent is received and paid under contracts entered into after the passing of this Act, be entitled to deduct from the rent so paid by him a sum bearing such a proportion to the amount of the cess deducted from the rent received by him as the rent paid by him bears to the rent received by him.

Where value of premises does not exceed 4*l.* immediate lessor to pay grand jury cess.

66. Whenever the net annual value of the whole of the premises situate in any county of a city, county of a town, or barony, occupied by any person under any tenancy whatsoever created after the passing of this Act, does not exceed four pounds, as valued under the Acts relating to the valuation of rateable property in Ireland, and the same are liable to grand jury cess, then such cess shall, after the passing of this Act, be paid and payable by the immediate lessor or lessors of such person, and may be recovered from such immediate lessor or lessors in like manner as but for the provisions of this section it might have been recovered from the person occupying such premises.

If any such cess payable by any such immediate lessor be not paid within four months after the same has become due, the person duly authorised to collect the same may give notice in writing to the occupier for the time being of such premises to pay the cess due in respect of such premises, and after the expiration of one calendar month from the time of giving such notice it shall be lawful to recover such cess from such occupier, or in his default from any subsequent occupier of the premises, in like manner as if the same were cess due in respect of premises of a net annual value greater than four pounds.

And every such occupier so paying such cess may deduct from the rent he may be then or next thereafter liable to pay in respect of any such premises the whole of any such cess that he may have paid in respect of the same premises, and if rent sufficient to cover such cess be not then or do not thereafter become due from such occupier, he shall be entitled to recover the same from such immediate lessor by Civil Bill.

Exception as to county cess levied in certain cases.

67. Nothing in the two next preceding sections of this Act contained shall apply to any county cess levied under the authority of any presentment made for the compensation of any person for any loss or damage occasioned by any malicious injury, or of any presentment made under the authority of section one hundred and six of the Act passed in the session of Parliament held in the sixth and seventh years of the reign of His late Majesty King William the Fourth, chapter one hundred and sixteen, or under the authority of "The Peace Preservation (Ireland) Act, 1870," or to any moneys levied as county cess by the direction of the Lord Lieutenant of any district under the authority of "The Peace Preservation (Ireland) Act, 1856," or any Act or Acts amending or continuing the same now in force.

Non-liability for rent for land covered by public roads.

68. Any person who, after the passing of this Act, shall take at an acreable rent land adjoining or intersected by any public road or public roads, shall not, in the absence of an agreement to the contrary, be liable to rent for any portion of such land as may be contained in the public road or roads.

Tenancies at will.

69. Where any tenancy at will, or less than a tenancy from year to year, is created by a landlord after the passing of this Act, the tenant under such tenancy shall on quitting his holding be entitled to notice to quit and compensation in the same manner in all respects as if he had been a tenant from year to year: Provided that this section shall not apply to any letting or contract for the letting of land made and entered into bonâ fide for the temporary convenience or to meet a temporary necessity either of the landlord or tenant.

Definitions.

General definitions.

70. In the construction of this Act the following words and expressions shall have the force and meaning hereby assigned to them, unless there be something in the subject or context repugnant thereto:

The term "person" or "party" shall extend to and include any body politic, corporate, or collegiate, whether aggregate or sole, and any public company:

The term "county" shall extend to and include county of a city, and county of a town, and a riding of a county, where such county of a city, county of a town, or riding of a county is appointed for civil bill purposes:

The term "prescribed" shall mean prescribed by any rules made in pursuance of this Act:

The term "lease" shall include an agreement for a lease:

The term "settlement" as used in this Act shall include any Act of Parliament, will, deed, or other assurance or connected set of assurances whereby particular estates or particular interests in land are created, with remainders or interests expectant thereon; and every estate and interest created by appointment made in exercise of any power contained in any settlement or derived from any settlement shall be considered as having been created by the same settlement; and an estate or interest by way of resulting use or trust to or for the settlor, or his heirs, executors, or administrators, shall be deemed to be an estate or interest under the same settlement:

The term "landlord" in relation to a holding shall include a superior mesne or immediate landlord, or any person for the time being entitled to receive the rents and profits or to take possession of any holding:

The term "tenant" in relation to a holding shall mean any tenant from year to year and any tenant for a life or lives or for a term of years under a lease or contract for a lease, whether the interest of such tenant has been acquired by original contract, lawful assignment, devise, bequest, or act and operation of law; and where the

tenancy of any person having been a tenant under a tenancy which does not disentitle him to compensation under this Act is determined or expiring, he shall, notwithstanding such determination or expiration, be deemed to be a tenant until the compensation, if any, due to him under this Act has been paid or deposited as in this Act provided:

The term "improvements" shall mean in relation to a holding,—

(1.) Any work which being executed adds to the letting value of the holding on which it is executed, and is suitable to such holding; also,

(2.) Tillages, manures, or other like farming works, the benefit of which is unexhausted at the time of the tenant quitting his holding.

Agricultural or pastoral holdings only subject to this Act.

71. This Act shall not apply to any holding which is not agricultural or pastoral in its character, or partly agricultural and partly pastoral; and the term "holding" shall include all land of the above character held by the same tenant of the same landlord for the same term and under the same contract of tenancy.

Short title.

72. This Act may be cited for all purposes as "The Landlord and Tenant (Ireland) Act, 1870."

Application of Act.

73. This Act shall apply to Ireland only.

SCHEDULE.

Arbitrations.

(1.) If both parties concur a single arbitrator may be appointed.

(2.) If the single arbitrator dies or becomes incapable to act before he has made his award, the matters referred to him shall be determined by arbitration under the provisions of this Act in the same manner as if no appointment of an arbitrator had taken place.

(3.) If both parties do not concur in the appointment of a single arbitrator, each party on the request of the other party shall appoint an arbitrator.

(4.) An arbitrator shall in all cases be appointed in writing, and the delivery of an appointment to an arbitrator shall be deemed a submission to arbitration on the part of the party by whom the same is made, and after any such appointment has been made neither party shall have power to revoke the same without the consent of the other.

(5.) If for the space of fourteen days after the service by one party on the other of a request made in writing to appoint an arbitrator such last-mentioned party fails to appoint an arbitrator, then upon such failure the party making the request may apply to the Court, and thereupon the dispute shall be decided by the Court according to the provisions of this Act.

(6.) If any arbitrator appointed by either party dies or becomes incapable to act before an award has been made, the party by whom such arbitrator was appointed may appoint some other person to act in his place, and if for the space of fourteen days after notice in writing from the other party for that purpose he fails to do so the remaining or other arbitrator may proceed ex parte.

(7.) If where more than one arbitrator has been appointed either of the arbitrators refuses or for fourteen days neglects to act, the other

arbitrator may proceed ex parte, and the decision of such arbitrator shall be as effectual as if he had been the single arbitrator appointed by both parties.

(8.) If, where more than one arbitrator has been appointed, and where neither of them refuses or neglects to act as aforesaid, such arbitrators fail to make their award within twenty-one days after the day on which the last of such arbitrators was appointed, or within such extended time (if any) as may have been appointed for that purpose by both such arbitrators under their hands, the matters referred to them shall be determined by the umpire to be appointed as hereafter mentioned.

(9.) Where more than one arbitrator has been appointed, the arbitrators shall, before they enter upon the matters referred to them, appoint by writing under their hands an umpire to decide on any matters on which they may differ.

(10.) If the umpire dies or becomes incapable to act before he has made his award, or refuses to make his award within a reasonable time after the matter has been brought within his cognizance, the arbitrators shall forthwith after such death, incapacity, or refusal appoint another umpire in his place.

(11.) If in any of the cases aforesaid the said arbitrators refuse, or for fourteen days after request of either party to such arbitration neglect, to appoint an umpire, the Civil Bill Court, as defined by this Act, shall, on the application of either party to such arbitration, appoint an umpire.

(12.) The decision of every umpire on the matters referred to him shall be final.

Table for Redemption of Annuities or Rentcharges.

Term unexpired.	Redemption money to be paid in respect of each 10*l.* of annuity.*	Term unexpired.	Redemption money to be paid in respect of each 10*l.* of annuity.*
	£ *s.* *d.*		£ *s.* *d.*
1	9 14 10	19	137 18 8
2	19 3 1	20	142 19 5
3	28 4 11	21	147 16 9
4	37 0 6	22	152 10 10
5	45 10 1	23	157 1 8
6	53 13 11	24	161 9 5
7	61 12 2	25	165 14 1
8	69 5 1	26	169 16 0
9	76 12 8	27	173 15 0
10	83 15 3	28	177 11 5
11	90 13 0	29	181 5 2
12	97 6 1	30	184 16 5
13	103 14 7	31	188 5 3
14	109 18 8	32	191 11 8
15	115 18 7	33	194 15 11
16	121 14 5	34	197 17 11
17	127 6 3	35	200 17 10
18	132 14 3		

Note.—This table is calculated on the assumption of the original purchase money being repaid in 35 years with interest at 3½ per cent. payable half-yearly.

* Where the unexpired term includes part of a year such addition, if any, as may be necessary shall be made to the redemption money in respect of such part of a year.

CHAP. 47.

An Act for extending to Ireland and amending "The Dividends and Stock Act, 1869."

[1st August 1870.]

32 & 33 Vict. c. 104.

WHEREAS by the Dividends and Stock Act, 1869, facilities were given for the payment by warrants through the post of dividends on the public stocks transferable in the books of the Governor and Company of the Bank of England, and other regulations were made respecting such dividends, and it is expedient to extend the provisions of the said Act to the dividends on the public stocks transferable in the books of the Governor and Company of the Bank of Ireland, and otherwise to amend the said Act:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Dividends and Stock Act, 1870.

Extension to Ireland of 32 & 33 Vict. c. 104.

2. The Dividends and Stock Act, 1869, shall apply to all stock forming part of the National Debt and transferable in the books of the Governor and Company of the Bank of Ireland in the same manner as if the provisions thereof were enacted in this Act, and the Governor and Company of the Bank of Ireland were substituted in those provisions for the Governor and Company of the Bank of England; and when the Dividends and Stock Act, 1869, has taken effect by virtue of this Act in relation to all stock transferable in the books of the Governor and Company of the Bank of Ireland then on the fifth day of January one thousand eight hundred and seventy-one there shall be deemed to have accrued due and to have become payable on the new five pounds per centum annuities standing on that day in those books one equal half part of one half year's dividend; and the same shall be accordingly paid on that day to the then holders of those annuities; and thenceforth the dividends on all new five pounds per centum annuities for the time being transferable in the books of the Governor and Company of the Bank of Ireland shall be payable and paid on the same half-yearly days, and in the same manner in all respects as dividends are payable and paid on like annuities for the time being transferable in the books of the Governor and Company of the Bank of England.

Amendment of 32 & 33 Vict. c. 104. s. 5.

3. The Dividends and Stock Act, 1869, and this Act shall each be construed as if the Comptroller and Auditor General were mentioned in the Dividends and Stock Act, 1869, instead of the commissioners for auditing the public accounts.

CHAP. 48.

An Act for removing doubts respecting the payment of Expenses incurred in the Conveyance of Paupers in certain cases not expressly provided for by Law. [9th August 1870.]

WHEREAS doubts are entertained whether boards of guardians may in certain cases lawfully pay the expenses incurred in conveying persons chargeable to their union or parish to any other part of England, and it is expedient that provision should be made for removing such doubts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Poor Law Board to define cases in which guardians may pay expense of conveying paupers.

1. The Poor Law Board may, by order, define and direct in what cases (other than those expressly provided for by law), and under what regulations, the guardians of any union or parish may pay the reasonable expenses incurred by them in conveying any person chargeable to such union or parish from one place to another in England, and may charge such expenses upon the common fund of the union or other like fund under their control.

Short title and interpretation.

2. This Act may be cited as the Paupers Conveyance (Expenses) Act, 1870, and shall be construed in like manner as the Poor Law Amendment Act, 1834, and the subsequent Acts amending or explaining the same.

CHAP. 49.

An Act to explain and amend "the Evidence Further Amendment Act, 1869." [9th August 1870.]

WHEREAS it was enacted by the "Evidence Further Amendment Act, 1869," section 4, as follows:

"If any person called to give evidence in any court of justice, whether in a civil or criminal proceeding, shall object to take an oath, or shall be objected to as incompetent to take an oath, such person shall, if the presiding judge is satisfied that the taking of an oath would have no binding effect on his conscience, make the following promise and declaration:

"'I solemnly promise and declare, that the evidence given 'by me to the court shall be the truth, the whole truth, and 'nothing but the truth.'

"And any person who, having made such promise and declaration, shall wilfully and corruptly give false evidence, shall be liable to be indicted, tried, and convicted for perjury as if he had taken an oath:"

And whereas doubts have arisen as to the extent and meaning of the words "court of justice" and "presiding judge" in the said section:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation of "court of justice" and "presiding judge" in recited Act.

1. The words "court of justice," and the words "presiding judge," in section 4 of the said Evidence Further Amendment Act, 1869, shall be deemed to include any person or persons having by law authority to administer an oath for the taking of evidence.

Short title.

2. This Act may be cited for all purposes as "The Evidence Amendment Act, 1870."

Not to extend to Scotland.

3. This Act shall not extend to Scotland.

CHAP. 50.

An Act to amend "The Shipping Dues Exemption Act, 1867." [9th August 1870.]

30 & 31 Vict. c. 15.

WHEREAS by "The Shipping Dues Exemption Act, 1867," provision is made for the abolition of certain exemptions from local dues on shipping and on goods carried in ships, and for payment of compensation for such abolition:

And whereas the said Act contains the following provision; that is to say,

"With respect to determining the amount of compensation "to be paid under this Act the following rules shall be "observed:

"(1.) The claimant shall send to the receiver of dues, and "to the Board of Trade, in writing, his claim to "compensation, stating the amount and grounds of "his claim, and shall give such evidence in support "of his claim as the Board of Trade may require:

"(2.) This claim shall be sent in to the Board of Trade "within three months after the commencement of "this Act, and if it is not sent in within that time "the claimant shall not be entitled to any com- "pensation in respect of the time prior to the date "of the receipt of such claim by the Board of "Trade; and if it is not sent in within one year "after the passing of this Act the claimant shall "not be entitled to any compensation:

"(3.) As soon as may be after receiving such claim, the "receiver of dues shall agree with the claimant on "the amount of the compensation to be paid, and "the times and mode of such payment, but such "agreement shall be subject to the approval of the "Board of Trade:"

And whereas in certain cases claims for compensation have been sent to the receiver of dues, and agreements for com-

pensation have been made between the claimant and such receiver, but through inadvertence such claims have not been sent in to the Board of Trade within the time prescribed by the said recited Act; and it is expedient to extend the time for sending in and approving such claims:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Agreements for compensation made but not sent in to the Board of Trade within the time prescribed by recited Act may be approved by Board of Trade.

1. In any case in which any claim has been allowed by or any agreement for compensation has been made with the receiver of dues under "The Shipping Dues Exemption Act, 1867," but has not been sent in to the Board of Trade within the time prescribed by the said Act, the Board of Trade, if satisfied that the omission to send in the same to them has arisen from inadvertence, may at any time within six months from the date of this Act approve the same, and compensation shall thereupon be paid according to the terms of such claim or agreement, as if the same had been duly sent to the Board of Trade within the time prescribed by the said Act and approved in accordance with the provisions thereof.

Construction of Act.

2. This Act shall be construed with and as part of "The Shipping Dues Exemption Act, 1867."

32 & 33 Vict. c. 52. repealed.

3. "The Shipping Dues Exemption Act Amendment Act, 1869," shall be repealed.

CHAP. 51.

An Act to repeal an Act intituled "An Act to alter "the mode of giving Notices for the holding of "Vestries, of making Proclamation in cases of "Outlawry, and of giving Notices on Sundays "in respect to various matters," so far as such Act relates to the Isle of Man.

[9th August 1870.]

WHEREAS by an Act passed in the first year of Her present Majesty's reign, chapter forty-five, and intituled "An Act to alter the mode of giving notices for the holding "of vestries, and of making proclamations in cases of out-"lawry, and of giving notices on Sundays with respect to "various matters," certain provisions were made as to the mode of giving notices in lieu of any other existing mode of giving notices on Sundays during or after divine service in churches or chapels, whether under or by virtue of any law or statute or by custom or otherwise: 7 W. 4. & 1 Vict. c. 45.

And whereas such Act is declared by the sixth section thereof to apply to the Isle of Man:

And whereas the provisions of the said Act have not been observed in the Isle of Man by reason of the inhabitants of that island having been ignorant that the said Act applied

thereto, and in consequence it is apprehended that divers notices given in the said island, and acts and things done in pursuance of such notices, are invalid:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Notice Act (Isle of Man) Repeal Act, 1870."

7 W. 4. & 1 Vict. c. 45. so far as respects the Isle of Man repealed.

2. The said Act passed in the first year of Her present Majesty's reign, chapter forty-five, is hereby repealed, so far as respects the Isle of Man, and shall be deemed never to have applied to or to have been in force in the said island, except in so far as may be necessary for giving validity to any notice given or any act or thing done in the said island in pursuance of the said Act, and all notices given and acts and things done in the said island which would have been valid if the said Act had not applied to or been in force in the said island shall be valid accordingly.

CHAP. 52.

An Act for amending the Law relating to the Extradition of Criminals. [9th August 1870.]

WHEREAS it is expedient to amend the law relating to the surrender to foreign states of persons accused or convicted of the commission of certain crimes within the jurisdiction of such states, and to the trial of criminals surrendered by foreign states to this country:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as "The Extradition Act, 1870."

Where arrangement for surrender of criminals made, Order in Council to apply Act.

2. Where an arrangement has been made with any foreign state with respect to the surrender to such state of any fugitive criminals, Her Majesty may, by Order in Council, direct that this Act shall apply in the case of such foreign state.

Her Majesty may, by the same or any subsequent order, limit the operation of the order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient.

Every such order shall recite or embody the terms of the arrangement, and shall not remain in force for any longer period than the arrangement.

Every such order shall be laid before both Houses of Parliament within six weeks after it is made, or, if Parliament be not then sitting, within six weeks after the then next meeting of Parliament, and shall also be published in the London Gazette.

Restrictions on surrender of criminals.

3. The following restrictions shall be observed with respect to the surrender of fugitive criminals:

(1.) A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove to the satisfaction of the police magistrate or the court before whom he is brought on habeas corpus, or to the Secretary of State, that the requisition for his surrender has in fact been made with a view to try or punish him for an offence of a political character:

(2.) A fugitive criminal shall not be surrendered to a foreign state unless provision is made by the law of that state, or by arrangement, that the fugitive criminal shall not, until he has been restored or had an opportunity of returning to Her Majesty's dominions, be detained or tried in that foreign state for any offence committed prior to his surrender other than the extradition crime proved by the facts on which the surrender is grounded:

(3.) A fugitive criminal who has been accused of some offence within English jurisdiction not being the offence for which his surrender is asked, or is undergoing sentence under any conviction in the United Kingdom, shall not be surrendered until after he has been discharged, whether by acquittal or on expiration of his sentence or otherwise:

(4.) A fugitive criminal shall not be surrendered until the expiration of fifteen days from the date of his being committed to prison to await his surrender.

Provisions of arrangement for surrender.

4. An Order in Council for applying this Act in the case of any foreign state shall not be made unless the arrangement—

(1.) provides for the determination of it by either party to it after the expiration of a notice not exceeding one year; and,

(2.) is in conformity with the provisions of this Act, and in particular with the restrictions on the surrender of fugitive criminals contained in this Act.

Publication and effect of order.

5. When an order applying this Act in the case of any foreign state has been published in the London Gazette, this Act (after the date specified in the order, or if no date is specified, after the date of the publication,) shall, so long as the order remains in force, but subject to the limitations, restrictions, conditions, exceptions, and qualifications, if any, contained in the order, apply in the case of such foreign state. An Order in Council shall be conclusive evidence that the

arrangement therein referred to complies with the requisitions of this Act, and that this Act applies in the case of the foreign state mentioned in the order, and the validity of such order shall not be questioned in any legal proceedings whatever.

Liability of criminal to surrender.

6. Where this Act applies in the case of any foreign state, every fugitive criminal of that state who is in or suspected of being in any part of Her Majesty's dominions, or that part which is specified in the order applying this Act (as the case may be), shall be liable to be apprehended and surrendered in manner provided by this Act, whether the crime in respect of which the surrender is sought was committed before or after the date of the order, and whether there is or is not any concurrent jurisdiction in any court of Her Majesty's dominions over that crime.

Order of Secretary of State for issue of warrant in United Kingdom if crime is not of a political character.

7. A requisition for the surrender of a fugitive criminal of any foreign state, who is in or suspected of being in the United Kingdom, shall be made to a Secretary of State by some person recognised by the Secretary of State as a diplomatic representative of that foreign state. A Secretary of State may, by order under his hand and seal, signify to a police magistrate that such requisition has been made, and require him to issue his warrant for the apprehension of the fugitive criminal.

If the Secretary of State is of opinion that the offence is one of a political character, he may, if he think fit, refuse to send any such order, and may also at any time order a fugitive criminal accused or convicted of such offence to be discharged from custody.

Issue of warrant by police magistrate, justice, &c.

8. A warrant for the apprehension of a fugitive criminal, whether accused or convicted of crime, who is in or suspected of being in the United Kingdom, may be issued—

1. by a police magistrate on the receipt of the said order of the Secretary of State, and on such evidence as would in his opinion justify the issue of the warrant if the crime had been committed or the criminal convicted in England; and
2. by a police magistrate or any justice of the peace in any part of the United Kingdom, on such information or complaint and such evidence or after such proceedings as would in the opinion of the person issuing the warrant justify the issue of a warrant if the crime had been committed or the criminal convicted in that part of the United Kingdom in which he exercises jurisdiction.

Any person issuing a warrant under this section without an order from a Secretary of State shall forthwith send a report of the fact of such issue, together with the evidence and information or complaint, or certified copies thereof, to a Secretary of State, who may if he think fit order the warrant to be cancelled, and the person who has been apprehended on the warrant to be discharged.

A fugitive criminal, when apprehended on a warrant issued without the order of a Secretary of State, shall be brought before some person having power to issue a warrant under this section, who shall by warrant order him to be brought and the prisoner shall accordingly be brought before a police magistrate.

A fugitive criminal apprehended on a warrant issued without the order of a Secretary of State shall be discharged by the police magistrate, unless the police magistrate, within such reasonable time as, with reference to the circumstances of the case, he may fix, receives from a Secretary of State an order signifying that a requisition has been made for the surrender of such criminal.

Hearing of case and evidence of political character of crime.

9. When a fugitive criminal is brought before the police magistrate, the police magistrate shall hear the case in the same manner, and have the same jurisdiction and powers, as near as may be, as if the prisoner were brought before him charged with an indictable offence committed in England.

The police magistrate shall receive any evidence which may be tendered to show that the crime of which the prisoner is accused or alleged to have been convicted is an offence of a political character or is not an extradition crime.

Committal or discharge of prisoner.

10. In the case of a fugitive criminal accused of an extradition crime, if the foreign warrant authorising the arrest of such criminal is duly authenticated, and such evidence is produced as (subject to the provisions of this Act) would, according to the law of England, justify the committal for trial of the prisoner if the crime of which he is accused had been committed in England, the police magistrate shall commit him to prison, but otherwise shall order him to be discharged.

In the case of a fugitive criminal alleged to have been convicted of an extradition crime, if such evidence is produced as (subject to the provisions of this Act) would, according to the law of England, prove that the prisoner was convicted of such crime, the police magistrate shall commit him to prison, but otherwise shall order him to be discharged.

If he commits such criminal to prison, he shall commit him to the Middlesex House of Detention, or to some other prison in Middlesex, there to await the warrant of a Secretary of State for his surrender, and shall forthwith send to a Secretary of State a certificate of the committal, and such report upon the case as he may think fit.

Surrender of fugitive to foreign state by warrant of Secretary of State.

11. If the police magistrate commits a fugitive criminal to prison, he shall inform such criminal that he will not be surrendered until after the expiration of fifteen days, and that he has a right to apply for a writ of Habeas corpus.

Upon the expiration of the said fifteen days, or, if a writ of Habeas corpus is issued, after the decision of the court upon the return to the writ, as the case may be, or after such further period as may be allowed in either case by a Secretary of State, it shall be lawful for a Secretary of State, by warrant

under his hand and seal, to order the fugitive criminal (if not delivered on the decision of the court) to be surrendered to such person as may in his opinion be duly authorised to receive the fugitive criminal by the foreign state from which the requisition for the surrender proceeded, and such fugitive criminal shall be surrendered accordingly.

It shall be lawful for any person to whom such warrant is directed and for the person so authorised as aforesaid to receive, hold in custody, and convey within the jurisdiction of such foreign state the criminal mentioned in the warrant; and if the criminal escapes out of any custody to which he may be delivered on or in pursuance of such warrant, it shall be lawful to retake him in the same manner as any person accused of any crime against the laws of that part of Her Majesty's dominions to which he escapes may be retaken upon an escape.

Discharge of persons apprehended if not conveyed out of United Kingdom within two months.

12. If the fugitive criminal who has been committed to prison is not surrendered and conveyed out of the United Kingdom within two months after such committal, or, if a writ of Habeas corpus is issued, after the decision of the court upon the return to the writ, it shall be lawful for any judge of one of Her Majesty's Superior Courts at Westminster, upon application made to him by or on behalf of the criminal, and upon proof that reasonable notice of the intention to make such application has been given to a Secretary of State, to order the criminal to be discharged out of custody, unless sufficient cause is shown to the contrary.

Execution of warrant of police magistrate.

13. The warrant of the police magistrate issued in pursuance of this Act may be executed in any part of the United Kingdom in the same manner as if the same had been originally issued or subsequently indorsed by a justice of the peace having jurisdiction in the place where the same is executed.

Depositions to be evidence. 6 & 7 Vict. c. 76.

14. Depositions or statements on oath, taken in a foreign state, and copies of such original depositions or statements, and foreign certificates of or judicial documents stating the fact of conviction, may, if duly authenticated, be received in evidence in proceedings under this Act.

Authentication of depositions and warrants. 29 & 30 Vict. c. 121.

15. Foreign warrants and depositions or statements on oath, and copies thereof, and certificates of or judicial documents stating the fact of a conviction, shall be deemed duly authenticated for the purposes of this Act if authenticated in manner provided for the time being by law or authenticated as follows:

(1.) If the warrant purports to be signed by a judge, magistrate, or officer of the foreign state where the same was issued;

(2.) If the depositions or statements or the copies thereof purport to be certified under the hand of a judge, magistrate, or officer of the foreign state where the same were taken to be the original depositions or statements, or to be true copies thereof, as the case may require; and

(3.) If the certificate of or judicial document stating the fact of conviction purports to be certified by a judge, magistrate, or officer of the foreign state where the conviction took place; and

if in every case the warrants, depositions, statements, copies, certificates, and judicial documents (as the case may be) are authenticated by the oath of some witness or by being sealed with the official seal of the minister of justice, or some other minister of state: And all courts of justice, justices, and magistrates shall take judicial notice of such official seal, and shall admit the documents so authenticated by it to be received in evidence without further proof.

Crimes committed at sea.

Jurisdiction as to crimes committed at sea.

16. Where the crime in respect of which the surrender of a fugitive criminal is sought was committed on board any vessel on the high seas which comes into any port of the United Kingdom, the following provisions shall have effect:

1. This Act shall be construed as if any stipendiary magistrate in England or Ireland, and any sheriff or sheriff substitute in Scotland, were substituted for the police magistrate throughout this Act, except the part relating to the execution of the warrant of the police magistrate:
2. The criminal may be committed to any prison to which the person committing him has power to commit persons accused of the like crime:
3. If the fugitive criminal is apprehended on a warrant issued without the order of a Secretary of State, he shall be brought before the stipendiary magistrate, sheriff, or sheriff substitute who issued the warrant, or who has jurisdiction in the port where the vessel lies, or in the place nearest to that port.

Fugitive criminals in British Possessions.

Proceedings as to fugitive criminals in British possessions.

17. This Act, when applied by Order in Council, shall, unless it is otherwise provided by such order, extend to every British possession in the same manner as if throughout this Act the British possession were substituted for the United Kingdom or England, as the case may require, but with the following modifications; namely,

(1.) The requisition for the surrender of a fugitive criminal who is in or suspected of being in a British possession may be made to the governor of that British possession by any person recognised by that governor as a consul general, consul, or vice-consul, or (if the fugitive criminal has escaped from a colony or dependency of the foreign state on behalf of which the requisition is made) as the governor of such colony or dependency:

(2.) No warrant of a Secretary of State shall be required, and all powers vested in or acts authorised or required

to be done under this Act by the police magistrate and the Secretary of State, or either of them, in relation to the surrender of a fugitive criminal, may be done by the governor of the British possession alone:

(3.) Any prison in the British possession may be substituted for a prison in Middlesex:

(4.) A judge of any court exercising in the British possession the like powers as the Court of Queen's Bench exercises in England may exercise the power of discharging a criminal when not conveyed within two months out of such British possession.

Saving of laws of British possessions.

18. If by any law or ordinance, made before or after the passing of this Act by the Legislature of any British possession, provision is made for carrying into effect within such possession the surrender of fugitive criminals who are in or suspected of being in such British possession, Her Majesty may, by the Order in Council applying this Act in the case of any foreign state, or by any subsequent order, either

suspend the operation within any such British possession of this Act, or of any part thereof, so far as it relates to such foreign state, and so long as such law or ordinance continues in force there, and no longer;

or direct that such law or ordinance, or any part thereof, shall have effect in such British possession, with or without modifications and alterations, as if it were part of this Act.

General Provisions.

Criminal surrendered by foreign state not triable for previous crime.

19. Where, in pursuance of any arrangement with a foreign state, any person accused or convicted of any crime which, if committed in England, would be one of the crimes described in the first schedule to this Act is surrendered by that foreign state, such person shall not, until he has been restored or had an opportunity of returning to such foreign state, be triable or tried for any offence committed prior to the surrender in any part of Her Majesty's dominions other than such of the said crimes as may be proved by the facts on which the surrender is grounded.

As to use of forms in second schedule.

20. The forms set forth in the second schedule to this Act, or forms as near thereto as circumstances admit, may be used in all matters to which such forms refer, and in the case of a British possession may be so used, mutatis mutandis, and when used shall be deemed to be valid and sufficient in law.

Revocation, &c. of Order in Council.

21. Her Majesty may, by Order in Council, revoke or alter, subject to the restrictions of this Act, any Order in Council made in pursuance of this Act, and all the provisions of this Act with respect to the original order shall (so far as applicable) apply, mutatis mutandis, to any such new order.

Application of Act in Channel

22. This Act (except so far as relates to the execution of warrants in the Channel Islands) shall extend to the Channel

Islands and Isle of Man in the same manner as if they were part of the United Kingdom; and the royal courts of the Channel Islands are hereby respectively authorised and required to register this Act. Islands and Isle of Man.

23. Nothing in this Act shall affect the lawful powers of Her Majesty or of the Governor General of India in Council to make treaties for the extradition of criminals with Indian native states, or with other Asiatic states conterminous with British India, or to carry into execution the provisions of any such treaties made either before or after the passing of this Act. Saving for Indian treaties.

24. The testimony of any witness may be obtained in relation to any criminal matter pending in any court or tribunal in a foreign state in like manner as it may be obtained in relation to any civil matter under the Act of the session of the nineteenth and twentieth years of the reign of Her present Majesty, chapter one hundred and thirteen, intituled "An Act to provide for taking evidence in Her "Majesty's Dominions in relation to civil and commercial "matters pending before foreign tribunals;" and all the provisions of that Act shall be construed as if the term civil matter included a criminal matter, and the term cause included a proceeding against a criminal: Provided that nothing in this section shall apply in the case of any criminal matter of a political character. Power of foreign state to obtain evidence in United Kingdom.

25. For the purposes of this Act, every colony, dependency, and constituent part of a foreign state, and every vessel of that state, shall (except where expressly mentioned as distinct in this Act) be deemed to be within the jurisdiction of and to be part of such foreign state. Foreign state includes dependencies.

26. In this Act, unless the context otherwise requires,— Definition of terms.

The term "British possession" means any colony, plantation, island, territory, or settlement within Her Majesty's dominions, and not within the United Kingdom, the Channel Islands, and Isle of Man; and all colonies, plantations, islands, territories, and settlements under one legislature, as herein-after defined, are deemed to be one British possession: "British possessions:"

The term "legislature" means any person or persons who can exercise legislative authority in a British possession, and where there are local legislatures as well as a central legislature, means the central legislature only: "Legislature:"

The term "governor" means any person or persons administering the government of a British possession, and includes the governor of any part of India: "Governor:"

The term "extradition crime" means a crime which, if committed in England or within English jurisdiction, would be one of the crimes described in the first schedule to this Act: "Extradition crime:"

The terms "conviction" and "convicted" do not include or refer to a conviction which under foreign law is a con- "Conviction:"

viction for contumacy, but the term "accused person" includes a person so convicted for contumacy:

"Fugitive criminal:" The term "fugitive criminal" means any person accused or convicted of an extradition crime committed within the jurisdiction of any foreign state who is in or is suspected of being in some part of Her Majesty's dominions; and

"Fugitive criminal of a foreign state:" the term "fugitive criminal of a foreign state" means a fugitive criminal accused or convicted of an extradition crime committed within the jurisdiction of that state:

"Secretary of State:" The term "Secretary of State" means one of Her Majesty's Principal Secretaries of State:

"Police magistrate:" The term "police magistrate" means a chief magistrate of the metropolitan police courts, or one of the other magistrates of the metropolitan police court in Bow Street:

"Justice of the peace:" The term "justice of the peace" includes in Scotland any sheriff, sheriff's substitute, or magistrate:

"Warrant." The term "warrant," in the case of any foreign state, includes any judicial document authorising the arrest of a person accused or convicted of crime.

Repeal of Acts.

Repeal of Acts in third schedule.

27. The Acts specified in the third schedule to this Act are hereby repealed as to the whole of Her Majesty's dominions; and this Act (with the exception of anything contained in it which is inconsistent with the treaties referred to in the Acts so repealed) shall apply (as regards crimes committed either before or after the passing of this Act), in the case of the foreign states with which those treaties are made, in the same manner as if an Order in Council referring to such treaties had been made in pursuance of this Act, and as if such order had directed that every law and ordinance which is in force in any British possession with respect to such treaties should have effect as part of this Act.

Provided that if any proceedings for or in relation to the surrender of a fugitive criminal have been commenced under the said Acts previously to the repeal thereof, such proceedings may be completed, and the fugitive surrendered, in the same manner as if this Act had not passed.

SCHEDULES.

FIRST SCHEDULE.

LIST OF CRIMES.

The following list of crimes is to be construed according to the law existing in England, or in a British possession, (as the case may be,) at the date of the alleged crime, whether by common law or by statute made before or after the passing of this Act:

Murder, and attempt and conspiracy to murder.

Manslaughter.

Counterfeiting and altering money and uttering counterfeit or altered money.

Forgery, counterfeiting, and altering, and uttering what is forged or counterfeited or altered.
Embezzlement and larceny.
Obtaining money or goods by false pretences.
Crimes by bankrupts against bankruptcy law.
Fraud by a bailee, banker, agent, factor, trustee, or director, or member, or public officer of any company made criminal by any Act for the time being in force.
Rape.
Abduction.
Child stealing.
Burglary and housebreaking.
Arson.
Robbery with violence.
Threats by letter or otherwise with intent to extort.
Piracy by law of nations.
Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.
Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master.

SECOND SCHEDULE.

Form of Order of Secretary of State to the Police Magistrate.

To the chief magistrate of the metropolitan police courts *or* other magistrate of the metropolitan police court in Bow Street [*or* the stipendiary magistrate at].

WHEREAS, in pursuance of an arrangement with referred to in an Order of Her Majesty in Council dated the day of , a requisition has been made to me, , one of Her Majesty's Principal Secretaries of State, by , the diplomatic representative of , for the surrender of. , late of , accused [*or* convicted] of the commission of the crime of within the jurisdiction of : Now I hereby, by this my order under my hand and seal, signify to you that such requisition has been made, and require you to issue your warrant for the apprehension of such fugitive, provided that the conditions of The Extradition Act, 1870, relating to the issue of such warrant, are in your judgment complied with.

Given under the hand and seal of the undersigned, one of Her Majesty's Principal Secretaries of State, this day of 18 .

Form of Warrant of Apprehension by Order of Secretary of State.

Metropolitan police district, [*or* county *or* borough of] to wit. } To all and each of the constables of the metropolitan police force [*or* of the county *or* borough of].

WHEREAS the Right Honourable one of Her Majesty's Principal Secretaries of State, by order under his hand and seal, hath signified to me that requisition hath been duly made to him for the surrender of

late of accused [*or* convicted] of the commission of the crime of within the jurisdiction of : This is therefore to command you in Her Majesty's name forthwith to apprehend the said pursuant to The Extradition Act, 1870, wherever he may be found in the United Kingdom or Isle of Man, and bring him before me or some other [*magistrate sitting in this court], to show cause why he should not be surrendered in pursuance of the said Extradition Act, for which this shall be your warrant.

Given under my hand and seal at [*Bow Street, one of the police courts of the metropolis] this day of 18 .

J. P.

* *Note.*—Alter as required.

Form of Warrant of Apprehension without Order of Secretary of State.

Metropolitan police district, [*or* county *or* borough of] to wit. } To all and each of the constables of the metropolitan police force [*or* of the county *or* borough of].

WHEREAS it has been shown to the undersigned, one of Her Majesty's justices of the peace in and for the metropolitan police district [*or* the said county *or* borough of] that late of is accused [*or* convicted] of the commission of the crime of within the jurisdiction of : This is therefore to command you in Her Majesty's name forthwith to apprehend the said and to bring him before me or some other magistrate sitting at this court [*or* one of Her Majesty's justices of the peace in and for the county [*or* borough] of] to be further dealt with according to law, for which this shall be your warrant.

Given under my hand and seal at Bow Street, one of the police courts of the metropolis, [*or* in the county *or* borough aforesaid] this day of 18 .

J. P.

Form of Warrant for bringing Prisoner before the Police Magistrate.

County [*or* borough] of to wit. } To constable of the police force of and to all other peace officers in the said county [*or* borough] of .

WHEREAS late of accused [*or* alleged to be convicted of] the commission of the crime of within the jurisdiction of has been apprehended and brought before the undersigned, one of Her Majesty's justices of the peace in and for the said county [*or* borough] of : And whereas by The Extradition Act, 1870, he is required to be brought before the chief magistrate of the metropolitan police court, or one of the police magistrates of the metropolis sitting at Bow Street, within the metropolitan police district [*or* the stipendiary magistrate for]: This is therefore to command you the said constable in Her Majesty's name forthwith to take and convey the said to the metropolitan police district [*or* the said]

and there carry him before the said chief magistrate or one of the police magistrates of the metropolis sitting at Bow Street within the said district [*or* before a stipendiary magistrate sitting in the said] to show cause why he should not be surrendered in pursuance of The Extradition Act, 1870, and otherwise to be dealt with in accordance with law, for which this shall be your warrant.

Given under my hand and seal at in the county [*or* borough] aforesaid, this day of 18 .

J. P.

Form of Warrant of Committal.

Metropolitan police district, [*or* county *or* borough of] to wit. } To one of the constables of the metropolitan police force, [*or* of the police force of the county *or* borough of], and to the keeper of the .

BE it remembered, that on this day of in the year of our Lord late of is brought before me the chief magistrate of the metropolitan police courts [*or* one of the police magistrates of the metropolis] sitting at the police court in Bow Street, within the metropolitan police district, [*or* a stipendiary magistrate for ,] to show cause why he should not be surrendered in pursuance of The Extradition Act, 1870, on the ground of his being accused [*or* convicted] of the commission of the crime of within the jurisdiction of , and forasmuch as no sufficient cause has been shown to me why he should not be surrendered in pursuance of the said Act:

This is therefore to command you the said constable in Her Majesty's name forthwith to convey and deliver the body of the said into the custody of the said keeper of the at , and you the said keeper to receive the said into your custody, and him there safely to keep until he is thence delivered pursuant to the provisions of the said Extradition Act, for which this shall be your warrant.

Given under my hand and seal at Bow Street, one of the police courts of the metropolis, [*or* at the said] this day of 18 .

J. P.

Form of Warrant of Secretary of State for Surrender of Fugitive.

To the keeper of and to .

WHEREAS late of accused [*or* convicted] of the commission of the crime of within the jurisdiction of , was delivered into the custody of you the keeper of by warrant dated pursuant to the Extradition Act, 1870:

Now I do hereby, in pursuance of the said Act, order you the said keeper to deliver the body of the said into the custody of the said , and I command you the said to receive the said into your custody, and to convey him within the jurisdiction of the

said , and there place him in the custody of any person or persons appointed by the said to receive him, for which this shall be your warrant.

Given under the hand and seal of the undersigned, one of Her Majesty's Principal Secretaries of State, this day of .

THIRD SCHEDULE.

Year and Chapter.	Title.
6 & 7 Vict. c. 75.	An Act for giving effect to a convention between Her Majesty and the King of the French for the apprehension of certain offenders.
6 & 7 Vict. c. 76.	An Act for giving effect to a treaty between Her Majesty and the United States of America for the apprehension of certain offenders.
8 & 9 Vict. c. 120.	An Act for facilitating execution of the treaties with France and the United States of America for the apprehension of certain offenders.
25 & 26 Vict. c. 70.	An Act for giving effect to a convention between Her Majesty and the King of Denmark for the mutual surrender of criminals.
29 & 30 Vict. c. 121.	An Act for the amendment of the law relating to treaties of extradition.

CHAP. 53.

An Act to amend certain provisions in the Sanitary and Sewage Utilization Acts. [9th August 1870.]

WHEREAS it is expedient further to amend the Sanitary Act, 1866, in order to facilitate the removal of persons suffering from any dangerous, contagious, or infectious disorder who are without proper lodging or accommodation, or are lodged in a room occupied by more than one family, or are on board ship, and to make further provision with respect to special drainage districts consisting of part of a parish or made up out of more parishes than one, and with respect to service of orders and demands of any of Her Majesty's Principal Secretaries of State under the Sanitary and Sewage Utilization Acts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as The Sanitary Act, 1870.

All hospitals in metropolis held to be within district of every nuisance authority.

2. For the purposes of the twenty-sixth section of the Sanitary Act, 1866, every hospital or place for the reception of the sick situate within the limits of the metropolis, as defined by the Metropolis Management Act, 1855, shall be deemed to be within the district of every one of the nuisance authorities in the metropolis.

3. Any notice which by virtue of such provisions of the Act of the fifty-eighth year of the reign of King George the Third, chapter sixty-nine, or any of the Acts amending the same or incorporated therewith, as are incorporated by the fifth section of the Sanitary Act, 1866, is required to be signed by the rector, vicar, or curate, or by a churchwarden or overseer of the poor of the parish, shall in the case of any special drainage district made up of, including part of a parish only, or more than one parish, be signed by the rector, vicar, or curate, or by a churchwarden or overseer of the poor of any parish wholly or partly included in the district, and any notice which by the said Acts or any of them is required to be affixed on or near to the doors of all churches and chapels within the parish shall be affixed to the doors of any church or chapel in the special drainage district, or if there be no such church or chapel, then on the doors of all churches and chapels in the parish or parishes out of which the district has been constituted.

How notices shall be given in special drainage districts consisting of part of a parish or made up by more than one parish.

4. Any order or demand of any of Her Majesty's Principal Secretaries of State under the Sanitary and Sewage Utilization Acts shall be deemed to have been duly served on the sewer authority of any district for the purposes of those Acts if served on or sent through the post in a registered letter addressed to any person appointed at a meeting of the sewer authority to receive service, of which appointment notice shall be given to such Secretary of State, or if no such person shall have been appointed, or no notice of such appointment given to the Secretary of State as aforesaid, or if the person so appointed shall refuse, neglect, or be unable to receive such service, then if served on or sent by the post as aforesaid to the rector, curate, or overseer, or the churchwarden or overseer of any parish wholly or partly included in the district: Provided that nothing in this Act shall be taken to affect the provisions of the fifth section of the Sanitary Loans Act, 1869.

How orders and demands are to be served or sent in special drainage districts.

CHAP. 54.

An Act to disfranchise certain Voters of the City of Dublin. [9th August 1870.]

WHEREAS the Commissioners appointed by the Act passed in the session of Parliament held in the thirty-second and thirty-third years of the reign of Her present Majesty, intituled "An Act for appointing Commissioners to inquire "into the existence of corrupt practices amongst the Freemen "Electors of the city of Dublin," and by the said Act empowered and directed to make inquiry into the existence, nature, and extent of such corrupt practices, and into the conduct of all persons aiding in or abetting such corrupt practices, have, by their report, dated the third day of May one thousand eight hundred and seventy, reported to Her

Majesty that the several persons named in the schedule marked H. annexed to their report were guilty of corrupt practices at the election of one thousand eight hundred and sixty-eight by receiving or contracting to receive money or other valuable consideration for having given or to induce them to give their votes; that the several persons named in the schedule marked I. annexed to their report were proved to have aided in or abetted corrupt practices at the election of one thousand eight hundred and sixty-eight by giving or contracting to give money or other valuable consideration to purchase or for the purpose of purchasing the votes of freemen; that the several persons named in the schedule marked L. annexed to their report were guilty of corrupt practices at the election of one thousand eight hundred and sixty-eight either by stipulating for employment for reward as the consideration for their votes or as having been employed for reward for the purposes of the election, and subsequently voting at the same for the candidates on whose behalf they were so employed; that the several persons named in the schedule marked M. annexed to their report aided and abetted the corrupt practices of which the persons named in the schedule marked L. annexed to their report were guilty; and that the several persons named in the schedule marked N. annexed to their report were guilty of personating or aiding in the personation of freemen at the election of one thousand eight hundred and sixty-eight:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Disfranchisement of certain voters of the city of Dublin.

1. From and after the passing of this Act none of the persons so named in the said schedules, or any of them, shall at any time hereafter have the right of voting at any election of a member or members to serve in Parliament for the city of Dublin.

Evidence of report.

2. Any copy of the said report by the said Commissioners appointed for the purpose of making inquiries into the existence of corrupt practices amongst the freemen electors of the said city of Dublin, with the schedules thereunto annexed, purporting to be printed by the Queen's authority, shall, for the purposes of this Act, be deemed to be sufficient evidence of the said report and of the schedules annexed thereto.

CHAP. 55.

An Act to vest Jurisdiction in matters arising within the Dominions of the Kings of Siam in the Supreme Court of the Straits Settlements. [9th August 1870.]

WHEREAS doubts have been ascertained whether the Supreme Court of the Straits Settlements has the jurisdiction over matters arising in Siam which was vested in the

then existing Supreme Court of Her Majesty's Possession of Singapore, by an Order in Council dated the twenty-eighth day of July one thousand eight hundred and fifty-six, and by an Act of the twentieth and twenty-first years of Her Majesty's reign, chapter seventy-five, intituled "An Act to "confirm an Order in Council concerning the exercise of "jurisdiction in matters arising within the kingdom of Siam:"

Order in Council of July 28, 1856.

20 & 21 Vict. c. 75.

And whereas it is expedient that such doubts should be removed, and that such jurisdiction should be vested in the said Supreme Court of the Straits Settlements:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as the Siam and Straits Settlements Jurisdiction Act, 1870.

Short title.

2. All the powers and jurisdiction in respect of matters civil and criminal arising within the dominions of the kings of Siam which were vested in the said Supreme Court of Singapore by the herein-before recited Order in Council and Act of Parliament shall be and the same are hereby vested in the said Supreme Court of the Straits Settlements.

Jurisdiction in certain matters arising in Siam.

3. Her Majesty may, by Order in Council, exercise in respect to the said Supreme Court of the Straits Settlements all the powers which under the said Act Her Majesty might have exercised in respect to the Supreme Court at Singapore.

Powers of Her Majesty in respect to said Supreme Court.

CHAP. 56.

An Act to enable the owners of Settled Estates in England and Ireland to charge such estates, within certain limits, with the expense of building mansions as residences for themselves. [9th August 1870.]

WHEREAS by an Act of the tenth year of the reign of His late Majesty King George the Third, chapter fifty-one, heirs of entail in Scotland are enabled to charge their estates with sums of money laid out by them in building mansions as residences for themselves:

And whereas such enactment having been found beneficial in that part of the United Kingdom, it is expedient to enable limited owners in other parts of the United Kingdom to build mansions on their estates as residences for themselves:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as the "Limited Owners Residences Act, 1870."

Short title.

2. This Act shall be construed as one with the Act of the session of the twenty-seventh and twenty-eighth years of the reign of Her present Majesty, intituled "Improvement of

Act to be construed with 27 & 28 Vict. c. 114., "Im-

provement of Land Act, 1864."

" Land Act, 1864," and the words used in this Act shall be construed in like manner as in the said Act; and the provisions of the said Act shall be applicable, as far as the nature of the case requires, except as is herein otherwise provided, to proceedings under this Act.

What to be deemed improvements within meaning of "Improvement of Land Act, 1864."

3. The erection of mansion houses and such other usual and necessary buildings, outhouses, and offices as are commonly appurtenant thereto and held and enjoyed therewith, and completion of mansion houses and such appurtenances as aforesaid, and improvement of and addition to mansion houses and such appurtenances as aforesaid already erected, or the improvement of and addition to houses which are capable of being converted into mansion houses suitable to the estate on which they stand, so as such improvement and addition be of a permanent nature, provided the mansion houses so erected or enlarged or converted are suitable to the estate on which they stand as residences for the owners of such estate, shall be improvements within the meaning of the " Improvement of Land Act, 1864."

Limit as to sum to be charged for mansion houses.

4. The sum charged on any estate under settlement in respect of mansion and other buildings herein-before mentioned shall not exceed two years rental of the said estate, after deducting all public charges and interest of debts and other incumbrances and annuities affecting or which may affect the inheritance after the death of the limited owner, or in the case of different estates settled to the same uses, and on which charges may have been imposed which affect the whole of such estates, after deducting from the rental of such of the said estates as may be charged with the cost of erecting mansion houses and appurtenances as aforesaid in the manner hereinafter provided, so much of the debts and other incumbrances affecting the whole of the estates as shall bear to the whole of the said debts and incumbrances the same proportion as the rental of the estates to be charged with the cost of erecting a mansion house and appurtenances shall bear to the rental of the whole of the estates settled to the same uses.

Mode of calculating increased value resulting from outlay.

5. In calculating whether the improvement would effect a permanent increase of the yearly value of the lands exceeding the yearly amount proposed to be charged thereon, the commissioners shall take into account the effect on such value of any sum expended by the landowner in erecting or adding to such mansion house and appurtenances beyond the sum proposed to be charged.

In such calculation, other lands settled to same uses may be taken into account.

6. In making such calculation as aforesaid, and in considering the suitableness of such mansion house and appurtenances so erected or enlarged as aforesaid to the estate, the commissioners may take into consideration any other lands in the neighbourhood of such estate settled to the same uses as the estate on which such mansion house and appurtenances stand which, if enjoyed together therewith, would add to the letting value of such mansion house.

7. If the commissioners shall find that the erection or improvement of or addition to any such mansion house and appurtenances are suitable to the estate, but would not in their estimation effect an increase of the yearly value of the lands exceeding the yearly amount proposed to be charged, it shall be in their discretion to certify such improvement. Discretionary power of certifying where erection of mansion house suitable, &c.

8. The provision in the Improvement of Land Act respecting assurance of buildings against fire shall apply to mansion houses and appurtenances improved or added to, as well as to those erected under this Act. Insurance against fire.

9. A charge on land made under this Act shall not take priority of any mortgage or other incumbrance affecting the land charged at the time such charge is made. Priority of charges.

10. This Act shall not apply to Scotland. Extent of Act.

CHAP. 57.

An Act to grant a Duty of Excise on Licences to use Guns. [9th August 1870.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the rate and duty herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Gun Licence Act, 1870." Short title.

2. In this Act the term "gun" includes a firearm of any description and an air gun or any other kind of gun from which any shot, bullet, or other missile can be discharged. Definition of terms.

The term "Commissioners" means the Commissioners of Inland Revenue.

3. After the first day of April one thousand eight hundred and seventy there shall be granted and paid unto and for the use of Her Majesty, her heirs and successors, for and in respect of every licence to be taken out yearly by every person who shall use or carry a gun in the United Kingdom the sum of ten shillings. Duty on licence to use a gun.

4. The said duty and licence shall be an excise duty and licence, and shall be under the management of the Commissioners, and all the provisions in any Act relating to excise duties or licences or to penalties under Excise Acts, and now or hereafter in force, shall apply to the said duty hereby Duty and licence to be under the management of the Commissioners of Inland Revenue.

granted, and the licence relating thereto, and the penalties hereby imposed, so far as the same are applicable and not inconsistent with the express provisions of this Act.

Form and date of licence.

5. Every licence to be granted under this Act shall be in such form and shall be granted by such officer of inland revenue and at such place as the Commissioners shall direct, and shall contain the Christian and surname and place of residence of the person to whom the same shall be granted, and shall be dated on the day on which the same shall be granted, and shall expire on the thirty-first day of March next following; but no licence under this Act shall be granted upon payment of a less sum than the duty for a whole year, nor shall any such licence be transferable.

Register of licences to be kept.

6. Every officer who shall grant licences under this Act shall keep a register of all such licences granted by him, specifying the Christian and surname and place of residence of every person licensed, and the date of each licence, and any justice of the peace or officer of constabulary or constable, or any person licensed under this Act, may at any convenient time inspect such register of licences for the current or preceding year.

Penalty for using or carrying a gun without licence.

7. Every person who shall use or carry a gun elsewhere than in a dwelling-house or the curtilage thereof without having in force a licence duly granted to him under this Act shall forfeit the sum of ten pounds:

Provided always, that the said penalty shall not be incurred by the following persons; namely,

(1.) By any person in the naval, military, or volunteer service of Her Majesty, or in the constabulary or other police force, using or carrying any gun in the performance of his duty, or when engaged in target practice:

(2.) By any person having in force a licence or certificate to kill game granted to him under the laws of excise in that behalf:

(3.) By any person carrying a gun belonging to a person having in force a licence or certificate to kill game or a licence under this Act, and by order of such licensed or certificated person and for the use of such licensed or certificated person only, if the person carrying the gun shall, upon the request of any officer of inland revenue or constabulary, or any constable, owner or occupier of the land on which such gun shall be used or carried, give his true name and address, and also the true name and address of his employer:

(4.) By the occupier of any lands using or carrying a gun for the purpose only of scaring birds or of killing vermin on such lands, or by any person using or carrying a gun for the purpose only of scaring birds

or of killing vermin on any lands by order of the occupier thereof, who shall have in force a licence or certificate to kill game or a licence under this Act:

(5.) By any gunsmith or his servant carrying a gun in the ordinary course of the trade of a gunsmith, or using a gun by way of testing or regulating its strength or quality in a place specially set apart for the purpose:

(6.) By any person carrying a gun in the ordinary course of his trade or business as a common carrier.

In any information for the recovery of the penalty imposed by this section, it shall be sufficient to allege that the defendant used or carried a gun without having a licence in force under this Act, and it shall lie upon the defendant to prove that he is a person not incurring the penalty by virtue of the proviso contained in this section.

Where a gun is carried in parts by two or more persons.

8. Where a gun is carried in parts by two or more persons in company, each and every one of such persons shall be deemed to carry the gun.

Licence to be produced on demand, or name and address declared, under penalty of 10*l.*

9. It shall be lawful for any officer of inland revenue or for any officer of constabulary or any constable to demand from any person using or carrying a gun (not being a person in the naval, military, or volunteer service of Her Majesty, or in the constabulary or other police force, using or carrying a gun in the performance of his duty) the production of a licence granted to such person under this Act.

If the person upon whom the demand is made shall not produce a licence duly granted to him under this Act, or a licence or certificate to kill game granted to him under the laws of excise, and permit the officer or constable demanding the production thereof to read such licence or certificate, it shall be lawful for such officer or constable to require such person to declare to him immediately his Christian and surname and place of residence, and if such person shall refuse to declare his Christian and surname and place of residence as aforesaid, he shall for such refusal forfeit the penalty of ten pounds over and above any other penalty to which he may be liable under this or any other Act of Parliament; and it shall be lawful for such officer or constable to arrest such person so refusing, and to convey him before any justice of the peace having jurisdiction at the place where the offence shall be committed, and such justice shall, upon due proof on oath of the offence, or upon the confession of the accused person, convict such person in the penalty aforesaid, or in some mitigated portion thereof, not being less than one fourth; and if such penalty be not immediately paid into the hands of the officer or constable (who is hereby required to receive and pay over the same to the Commissioners), such justice shall commit the offender to hard labour in the proper house of correction for any period not exceeding one month nor less than seven days, or until the penalty shall be sooner paid.

Authorised officers may enter upon lands.

10. It shall be lawful for any officer of inland revenue, officer of constabulary, or constable, who may see any person using or carrying a gun to enter and remain so long as may be necessary upon any lands or upon any premises (other than a dwelling-house or the curtilage thereof) for the purpose of making the demand specified in the preceding section.

Licence to be void if person be convicted under 1 & 2 W. 4. c. 32. s. 30., or 2 & 3 W. 4. c. 68.

11. If any person having obtained a licence under this Act shall be convicted of any offence under section thirty of the Act of the first and second years of King William the Fourth, chapter thirty-two, or under the Act of the second and third years of King William the Fourth, chapter sixty-eight, the said licence shall thenceforth be null and void.

Not to interfere with any other Act requiring authority to keep firearms.

12. No licence granted under this Act shall entitle the person to whom the same is granted to use, carry, or have in his custody or possession any firearm in any part of the United Kingdom where such person is by any other Act now or hereafter in force forbidden to use, carry, or have in his custody or possession any firearm, nor to entitle such person to use, carry, or have in his custody or possession any firearm unless he shall have obtained a licence or permission so to do from any authority empowered by any such other Act to grant such licence or permission.

CHAP. 58.

An Act to further amend the Law relating to indictable offences by Forgery. [9th August 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as The Forgery Act, 1870.

Construction and extent of Act.

2. This Act shall have effect as one Act with the Act described in the schedule to this Act, but shall extend to the United Kingdom.

Forgery of stock certificates, &c.

3. If any person forges or alters, or offers, utters, disposes of, or puts off, knowing the same to be forged or altered, any stock certificate or coupon, or any document purporting to be a stock certificate or coupon, issued in pursuance of Part V. of The National Debt Act, 1870, or of any former Act,—or demands or endeavours to obtain or receive any share or interest of or in any stock as defined in The National Debt Act, 1870, or to receive any dividend or money payable in respect thereof, by virtue of any such forged or altered certificate or coupon, or document purporting as aforesaid, knowing the same to be forged or altered,—with intent in any of the cases aforesaid to defraud, he shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the Court, to be kept in penal servitude for life or for any term not less than five years, or to be imprisoned for any term

not exceeding two years, with or without hard labour, and with or without solitary confinement.

Personation of owners of stock.

4. If any person falsely and deceitfully personates any owner of any share or interest of or in any such stock as aforesaid, or of any such stock certificate or coupon as aforesaid, and thereby obtains or endeavours to obtain any such stock certificate or coupon,—or receives or endeavours to receive any money due to any such owner, as if such person were the true and lawful owner,—he shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the Court, to be kept in penal servitude for life or for any term not less than five years, or to be imprisoned for any term not exceeding two years, with or without hard labour, and with or without solitary confinement.

Engraving plates, &c. for stock certificates, &c.

5. If any person, without lawful authority or excuse, the proof whereof shall lie on the party accused, engraves or makes on any plate, wood, stone, or other material any stock certificate or coupon purporting to be such a stock certificate or coupon as aforesaid, or to be such a stock certificate or coupon as aforesaid in blank, or to be a part of such a stock certificate or coupon as aforesaid,—or uses any such plate, wood, stone, or other material for the making or printing of any such stock certificate or coupon, or blank stock certificate or coupon as aforesaid, or any part thereof respectively,—or knowingly has in his custody or possession any such plate, wood, stone, or other material,—or knowingly offers, utters, disposes of, or puts off, or has in his custody or possession, any paper on which any such blank stock certificate or coupon as aforesaid, or part of any such stock certificate or coupon as aforesaid, is made or printed,—he shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the Court, to be kept in penal servitude for any term not exceeding fourteen years and not less than five years, or to be imprisoned for any term not exceeding two years, with or without hard labour, and with or without solitary confinement.

Forgery of certificates of transfer of stocks from England to Ireland, &c.

6. If any person forges or alters, or offers, utters, disposes of, or puts off, knowing the same to be forged or altered, any certificate or duplicate certificate required by Part VI. of The National Debt Act, 1870, or by any former like enactment, with intent in any of the cases aforesaid to defraud, he shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the Court, to be kept in penal servitude for life, or for any term not less than five years, or to be imprisoned for any term not exceeding two years, with or without hard labour, and with or without solitary confinement.

Extension of provisions of Forgery Act to Scotland.

7. Sections two and four and all provisions relative thereto of the Act described in the schedule to this Act, and all enactments amending those sections and provisions, or any of them, shall extend to Scotland.

Alteration as to Scotland.

8. In the application to Scotland of this Act, and of the enactments by this Act extended to Scotland, the term "high crime and offence" shall be substituted for the term "felony."

THE SCHEDULE.

Act referred to.

24 & 25 Vict. c. 98.—An Act to consolidate and amend the statute law of England and Ireland, relating to indictable offences by forgery.

CHAP. 59.

An Act to render valid certain Contracts informally executed in India. [9th August 1870.]

22 & 23 Vict. c. 41.

WHEREAS by an Act passed in the twenty-second and twenty-third years of the reign of Her present Majesty, amending an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, intituled "An Act for the better Government of India," it was provided that any deed, contract, or other instrument made by the authorities therein named for the purpose of disposing of real and personal estate in India vested in Her Majesty under the said last-mentioned Act, or of raising money on such real estate by way of mortgage, or of making proper assurance for that purpose, or of purchasing and acquiring any lands and hereditaments, or any interest therein, stores, goods, chattels, and other property in India, and of entering into any contracts whatsoever for the purposes of the said first-mentioned Act, may be expressed to be executed as on behalf of the Secretary of State for India in Council, by or by order of the Governor General in Council, or the Governor of Fort Saint George or of Bombay in Council:

And whereas by an Act passed in the thirty-second and thirty-third years of Her said Majesty it was recited, that certain deeds had been issued for Inam lands in the Presidency of Fort Saint George by the Inam commissioner in the execution of his office in that respect, which, by reason of certain defects in the expression of the execution thereof, it was apprehended might be invalid; and provision was thereupon made by the said last-mentioned Act that the said title deeds should not be deemed invalid by reason of such defects:

And whereas it is apprehended that other deeds, contracts, and instruments made for the purpose expressed in the said first-recited Act, besides such title deeds as aforesaid, may be invalid or deemed invalid for the like reason, and such provision as aforesaid should therefore be made more general:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Deeds, contracts, and instruments executed in India valid notwithstanding certain defects of execution.

1. Every deed, contract, or other instrument made in India for the purposes and by the authorities expressed in the said first-recited Act up to the date of the passing of this Act, and for any further period within the limit of one year to which the Governor General in Council may deem it advisable to extend the operation of this Act, which is expressed to be executed by or by order of or on behalf of the Governor General of India in Council, the Governor of Fort Saint George in Council, or the Governor of Bombay in Council, or by any Lieutenant-Governor or Chief Commissioner, or any other officer for the time being entrusted with the government, charge, or care of any presidency, province, or district of British India within the limits of their respective governments, provinces, or districts, and every deed, contract, or other instrument so executed in British India by any person authorised in this behalf by the Secretary of State for India in Council, shall be and be deemed to have been as valid as if it had been executed in conformity with the provisions of the said first-recited Act; provided that such deed, contract, or other instrument has been in other respects duly executed according to the law in force at the date of its execution.

Power to authorities in India to vary forms of execution.

2. It shall be lawful for the Governor General, by resolution in Council, from time to time to vary the form of execution prescribed by the said first-recited Act for the deeds, contracts, and other instruments to which it relates, and to empower such authorities as to him may seem expedient to vary it within the respective limits of their local jurisdiction; and deeds, contracts, and other instruments executed according to forms so altered shall have in all respects the like validity as if they had been executed according to the provisions of the said first-recited Act.

CHAP. 60.

An Act to relieve the Brokers of the City of London from the supervision of the Court of Mayor and Aldermen of the said City. [9th August 1870.]

WHEREAS by an Act of Parliament made in the sixth year of the reign of Queen Anne, intituled "An Act for "repealing the Act of the first year of King James the First, "intituled 'An Act for the well garbling of spices and for "'granting an equivalent to the city of London by admitting "'brokers,'" it was amongst other things enacted that from and after the determination of the then session of Parliament all persons that should act as brokers within the city of London and liberties thereof, should from time to time be admitted so to do by the court of mayor and aldermen of the said city for the time being under such restrictions and limitations for their honest and good behaviour as the said court should think fit and reasonable, and should upon such their admission pay to the chamberlain of the said city for the time

being, for the uses therein-after mentioned, the sum of forty shillings, and should also yearly pay to the said uses the sum of forty shillings upon the twenty-ninth day of September in every year; and it was further enacted that if any person or persons from and after the determination of the then session of Parliament should take upon him to act as a broker or employ any other under him to act as such within the said city and liberties not being admitted as aforesaid, every such person so offending should forfeit and pay to the use of the said mayor and commonalty and citizens of the said city for every such offence the sum of twenty-five pounds, to be recovered as in the said Act is mentioned:

And whereas by an Act (local and personal) made and passed in the fifty-seventh year of the reign of King George the Third, intituled "An Act for granting an equivalent for "the diminution of the profits of the office of gauger of the "city of London, and increasing the payments to be made by "brokers," after reciting amongst other things the before-mentioned Act, it was amongst other things enacted that all persons that from and after the first day of July next after the passing of that Act should be admitted to act as brokers within the city of London and liberties thereof by the said court in pursuance of the said recited Act of Parliament should upon such their admission, over and above the sum of forty shillings required to be paid by the said recited Act, pay to the chamberlain of the said city for the time being the sum of three pounds, and should also yearly pay to the said chamberlain, over and above the said yearly sum of forty shillings required to be paid by the said recited Act, the sum of three pounds on the twenty-ninth day of September in every year; and it was amongst other things further enacted that so much of the said recited Act as imposed a penalty of twenty-five pounds upon any person who should take upon him to act as a broker, or employ any person under him to act as such not being admitted in pursuance of the said recited Act, should be and the same was thereby repealed; and that from and after the passing of the now reciting Act if any person should take upon him to act as a broker, or employ, or cause, permit, or suffer any person or persons to be employed with, under, or for him, to act as such within the said city and liberties, not being admitted in pursuance of the said recited Act, every such person so offending should forfeit and pay to the use of the mayor and commonalty and citizens of the said city for every such offence the sum of one hundred pounds, to be recovered as in the now reciting Act is mentioned:

And whereas the said court of mayor and aldermen of the said city (herein-after called "the court"), acting by virtue of the powers conferred upon them by the said recited Acts, or one of them, or by virtue of some other authority, have from time to time made and established rules and regulations for the admission of brokers within the city of London and

liberties thereof, and have imposed restrictions and limitations on the manner in which the persons whom they have admitted into the office and employment of a broker within the said city and liberties thereof were and are to carry on their business as brokers, and have exercised and claim a right to exercise jurisdiction and control over such brokers for the purpose of enforcing the observance of the said regulations, restrictions, and limitations:

And whereas the said court have also required every broker admitted by them to find two sureties to be approved of by the said court to enter into a bond for the due and just execution by the broker of his said office and employment, or in place of such sureties have required such broker to transfer into the joint names of himself and the chamberlain of the said city stock in the public funds to the nominal amount of one thousand pounds:

And whereas the said court have also required each broker admitted by them to enter into his own bond in the penal sum of one thousand pounds to secure the due performance of his duties as a broker, and also to secure the annual payment of the sums of two pounds and three pounds to the chamberlain of the city pursuant to the provisions of the said Acts of the sixth year of the reign of Queen Anne and of the fifty-seventh year of the reign of King George the Third:

And whereas it is expedient to relieve the said brokers from the necessity of providing such sureties or entering into such personal bond, and from the jurisdiction and supervision exercised by the said court over the brokers, in manner hereinafter provided:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the "London Brokers Relief Act, 1870."

Jurisdiction of the court of aldermen over brokers to cease.

2. After the passing of this Act the court shall not require a broker, by himself or sureties, to give any bond on his admission as a broker, and the jurisdiction, supervision, and control of the said court over brokers in the said city of London and the liberties thereof shall cease, and the said court shall not have power to make or enforce any rules, orders, regulations, restrictions, limitations, or penalties affecting, except as herein-after mentioned, the admission of such brokers, or the manner in which the business of such brokers shall be carried on.

No bond to be enforced so far as relates to jurisdiction of court over brokers.

3. No bond or declaration of trust executed by any broker in pursuance of any rules, orders, or regulations heretofore in force shall after the passing of this Act be put in suit or enforced, and all sums of stock transferred by way of security

as aforesaid shall, from and after the passing of this Act, be held in trust for the broker transferring the same, and upon no other trust.

Pending proceedings not to be prejudiced.

4. Nothing in this Act contained shall prejudice any proceedings actually commenced before the passing of this Act upon any such bond or declaration of trust.

Saving existing rights.

5. Except as herein expressly enacted, this Act shall not extend to take away from the said court such right as they now have under the recited Acts to require brokers to be admitted, or to repeal the penalty of one hundred pounds imposed by the said Act of the fifty-seventh George the Third, in the case therein mentioned, or affect the liability of brokers when admitted to pay to the chamberlain of the said city, for the uses mentioned in the said recited Acts respectively, the sums of forty shillings and three pounds on admission, and the yearly sums of forty shillings and three pounds, which are made payable by the said recited Acts respectively; and the said yearly sums of two pounds and three pounds may be recovered by the chamberlain of the said city for the time being in the Mayor's Court of the City of London, or in the City of London Court.

Brokers committing fraud to be disqualified from acting as brokers.

6. The court shall keep a list containing the names and addresses of all brokers who shall from time to time have been admitted, and if any such broker shall be convicted in any criminal court of felony or fraud, or if a judge of any of the superior courts of law or equity, or a judge in bankruptcy, shall in any action, suit, or other proceeding prosecuted or depending before such judge, and to which such broker shall be a party, certify (as he is hereby empowered to do) that such broker has been guilty of fraud, and that he ought to be disqualified from acting as a broker altogether, or for such period as such judge shall name in the certificate, such broker shall accordingly be disqualified as from the date of such conviction or certificate, and his name shall thereupon be removed by the court of aldermen from the list of brokers either absolutely or for the time mentioned in such certificate.

CHAP. 61.

An Act to amend the law relating to Life Assurance Companies. [9th August 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Life Assurance Companies Act, 1870."

Interpretation of terms.

2. In this Act—

The term "company" means any person or persons, corporate or unincorporate, not being registered under the

Acts relating to friendly societies, who issue or are liable under policies of assurance upon human life within the United Kingdom, or who grant annuities upon human life within the United Kingdom:

The term "chairman" means the person for the time being presiding over the court or board of directors of the company:

The term "policy holder" means the person who for the time being is the legal holder of the policy for securing the life assurance, endowment, annuity, or other contract with the company:

The term "financial year" means each period of twelve months at the end of which the balance of the accounts of the company is struck, or if no such balance is struck, then each period of twelve months ending with the thirty-first day of December:

The term "Court" means, in the case of a company registered or having its head office in England, the High Court of Chancery; in the case of a company registered or having its head office in Ireland, the Court of Chancery in Ireland; in all cases of companies registered or having its head office in Scotland, the Court of Session, in either division thereof:

The term "registrar" means the Registrar of Joint Stock Companies in England and Scotland, and the Assistant Registrar of Joint Stock Companies in Ireland.

Deposit.

3. Every company established after the passing of this Act within the United Kingdom, and every company established or to be established out of the United Kingdom which shall after the passing of this Act commence to carry on the business of life assurance within the United Kingdom, shall be required to deposit the sum of twenty thousand pounds with the Accountant General of the Court of Chancery, to be invested by him in one of the securities usually accepted by the Court for the investment of funds placed from time to time under its administration, the company electing the particular security and receiving the income therefrom, and the registrar shall not issue a certificate of incorporation unless such deposit shall have been made, and the Accountant General shall return such deposit to the company so soon as its life assurance fund accumulated out of the premiums shall have amounted to forty thousand pounds.

Life funds separate.

4. In the case of a company established after the passing of this Act transacting other business besides that of life assurance, a separate account shall be kept of all receipts in respect of the life assurance and annuity contracts of the company, and the said receipts shall be carried to and form a separate fund to be called the life assurance fund of the company, and such fund shall be as absolutely the security of the life policy and annuity holders as though it belonged to a company

carrying on no other business than that of life assurance, and shall not be liable for any contracts of the company for which it would not have been liable had the business of the company been only that of life assurance; and in respect to all existing companies, the exemption of the life assurance fund from liability for other obligations than to its life policy holders shall have reference only to the contracts entered into after the passing of this Act, unless by the constitution of the company such exemption already exists: Provided always, that this section shall not apply to any contracts made by any existing company by the terms of whose deed of settlement the whole of the profits of all the business are paid exclusively to the life policy holders, and on the face of which contracts the liability of the assured distinctly appears.

Statements to be made by companies.

5. From and after the passing of this Act every company shall, at the expiration of each financial year of such company, prepare a statement of its revenue account for such year, and of its balance sheet at the close of such year, in the forms respectively contained in the first and second schedules to this Act.

Statements by company doing other than life business.

6. Every company which, concurrently with the granting of policies of assurance or annuities on human life, transacts any other kind of assurance or other business shall, at the expiration of each such financial year as aforesaid, prepare statements of its revenue account for such year, and of its balance sheet at the close of such year, in the forms respectively contained in the third and fourth schedules of this Act.

Actuarial report and abstract.

7. Every company shall, once in every five years if established after the passing of this Act, and once every ten years if established before the passing of this Act, or at such shorter intervals as may be prescribed by the instrument constituting the company, or by its regulations or byelaws, cause an investigation to be made into its financial condition by an actuary, and shall cause an abstract of the report of such actuary to be made in the form prescribed in the fifth schedule to this Act.

Statement of life and annuity business.

8. Every company shall, on or before the thirty-first day of December one thousand eight hundred and seventy-two, and thereafter within nine months after the date of each such investigation as aforesaid into its financial condition, prepare a statement of its life assurance and annuity business in the form contained in the sixth schedule to this Act, each of such statements to be made up as at the date of the last investigation, whether such investigation be made previously or subsequently to the passing of this Act: Provided as follows:

(1.) If the next financial investigation after the passing of this Act of any company fall during the year one thousand eight hundred and seventy-three, the said statement of such company shall be prepared within nine months after the date of such investigation,

instead of on or before the thirty-first day of December one thousand eight hundred and seventy-two:

(2.) If such investigation be made annually by any company, such company may prepare such statement at any time, so that it be made at least once in every three years.

The expression date of each such investigation in this section shall mean the date to which the accounts of each company are made up for the purposes of each such investigation.

Forms may be altered.

9. The Board of Trade, upon the applications of or with the consent of a company, may alter the forms contained in the schedules to this Act, for the purpose of adapting them to the circumstances of such company, or of better carrying into effect the objects of this Act.

Statements, &c. to be signed and printed and deposited with Board of Trade.

10. Every statement or abstract herein-before required to be made shall be signed by the chairman and two directors of the company and by the principal officer managing the life assurance business, and, if the company has a managing director, by such managing director, and shall be printed; and the original, so signed as aforesaid, together with three printed copies thereof, shall be deposited at the Board of Trade within nine months of the dates respectively herein-before prescribed as the dates at which the same are to be prepared. And every annual statement so deposited after the next investigation shall be accompanied by a printed copy of the abstract required to be made by section seven.

Copies of statements to be given to shareholders, &c.

11. A printed copy of the last deposited statement, abstract, or other document by this Act required to be printed shall be forwarded by the company, by post or otherwise, on application, to every shareholder and policy holder of the company.

List of shareholders.

12. Every company which is not registered under "The Companies Act, 1862," and which has not incorporated in its deed of settlement section ten of "The Companies Clauses Consolidation Act, 1845," shall keep a "Shareholders Address Book," in accordance with the provisions of that section, and shall furnish, on application, to every shareholder and policy holder of the Company a copy of such book, on payment of a sum not exceeding sixpence for every hundred words required to be copied for such purpose.

Deed of settlement to be printed.

13. Every company which is not registered under "The Companies Act, 1862," shall cause a sufficient number of copies of its deed of settlement to be printed, and shall furnish, on application, to every shareholder and policy holder of the company a copy of such deed of settlement on payment of a sum not exceeding two shillings and sixpence.

Amalgamation or transfer.

14. Where it is intended to amalgamate two or more companies, or to transfer the life assurance business of one company to another, the directors of any one or more of such companies may apply to the Court, by petition, to sanction

the proposed arrangement, notice of such application being published in the Gazette, and the Court, after hearing the directors and other persons whom it considers entitled to be heard upon the petition, may confirm the same if it is satisfied that no sufficient objection to the arrangement has been established.

Before any such application is made to the Court a statement of the nature of the amalgamation or transfer, as the case may be, together with an abstract containing the material facts embodied in the agreement or deed under which such amalgamation or transfer is proposed to be effected, and copies of the actuarial or other reports upon which such agreement or deed is founded, shall be forwarded to each policy holder of both companies in case of amalgamation, or to each policy holder of the transferred company in case of transfer, by the same being transmitted in manner provided by section one hundred and thirty-six of The Companies Clauses Consolidation Act, 1845, for the transmission to shareholders of notices not requiring to be served personally; and the agreement or deed under which such amalgamation or transfer is effected shall be open for the inspection of the policy holders and shareholders at the office or offices of the company or companies for a period of fifteen days after the issuing of the abstract herein provided.

The Court shall not sanction any amalgamation or transfer in any case in which it appears to the Court that policy holders representing one tenth or more of the total amount assured in any company which it is proposed to amalgamate, or in any company the business of which it is proposed to transfer, dissent from such amalgamation or transfer.

No company shall amalgamate with another, or transfer its business to another, unless such amalgamation or transfer is confirmed by the Court in accordance with this section.

Provided always, that this section shall not apply in any case in which the business of any company which is sought to be amalgamated or transferred does not comprise the business of life assurance.

Statements in case of amalgamation or transfer.

15. When an amalgamation takes place between any companies, or when the business of one company is transferred to another company, the combined company or the purchasing company, as the case may be, shall, within ten days from the date of the completion of the amalgamation or transfer, deposit with the Board of Trade certified copies of statements of the assets and liabilities of the companies concerned in such amalgamation or transfer, together with a statement of the nature and terms of the amalgamation or transfer, and a certified copy of the agreement or deed under which such amalgamation or transfer is effected, and certified copies of the actuarial or other reports upon which such agreement or

deed is founded; and the statement and agreement or deed of amalgamation or transfer shall be accompanied by a declaration under the hand of the chairman of each company and the principal managing officer of each company, that to the best of their belief every payment made or to be made to any person whatsoever on account of the said amalgamation or transfer is therein fully set forth, and that no other payments beyond those set forth have been made or are to be made either in money, policies, bonds, valuable securities, or other property by or with the knowledge of any parties to the said amalgamation or transfer.

Documents may be transferred from Board of Trade to registry of joint stock companies.

16. The Board of Trade may direct any printed or other documents required by this Act, or certified copies thereof, to be kept by the registrar of Joint Stock Companies or other officer of the Board of Trade; and any person may, on payment of such fees as the Board of Trade may direct, inspect the same at his office, and procure copies thereof.

Documents to be received in evidence.

17. Every statement, abstract, or other document deposited with the Board of Trade or with the registrar of Joint Stock Companies under this Act shall be receivable in evidence; and every document purporting to be certified by one of the secretaries or assistant secretaries of the Board of Trade, or by the said registrar, to be such deposited document, and every document purporting to be similarly certified to be a copy of such deposited document, shall, if produced out of the custody of the Board of Trade or of the said registrar, be deemed to be such deposited document as aforesaid, or a copy thereof, and shall be received in evidence as if it were the original document, unless some variation between it and the original document shall be proved.

Penalty for non-compliance with Act.

18. Every company which makes default in complying with the requirements of this Act shall be liable to a penalty not exceeding fifty pounds for every day during which the default continues; and if default continue for a period of three months after notice of default by the Board of Trade, which notice shall be published in one or more newspapers as the Board of Trade may direct, and after such publication the Court may order the winding up of the company, in accordance with The Companies Act, 1862, upon the application of one or more policy holders or shareholders.

Penalty for falsifying statements, &c.

19. If any statement, abstract, or other document required by this Act is false in any particular to the knowledge of any person who signs the same, such person shall be liable on conviction thereof on indictment to fine and imprisonment, or on summary conviction thereof to a penalty not exceeding fifty pounds.

Penalties how to be recovered and applied.

20. Every penalty imposed by this Act shall be recovered and applied in the same manner as penalties imposed by The Companies Act, 1862, are recoverable and applicable.

Other circumstances under which company may be wound up by the Court of Chancery.

21. The Court may order the winding up of any company, in accordance with The Companies Act, 1862, on the application of one or more policy holders or shareholders, upon its being proved to the satisfaction of the Court that the company is insolvent, and in determining whether or not the company is insolvent the Court shall take into account its contingent or prospective liability under policies and annuity and other existing contracts; but the Court shall not give a hearing to the petition until security for costs for such amount as the judge shall think reasonable shall be given, and until a primâ facie case shall also be established to the satisfaction of the judge; and in the case of a proprietary company having an uncalled capital of an amount sufficient with the future premiums receivable by the company to make up the actual invested assets equal to the amount of the estimated liabilities, the Court shall suspend further proceedings on the petition for a reasonable time (in the discretion of the Court) to enable the uncalled capital, or a sufficient part thereof, to be called up; and if at the end of the original or any extended time for which the proceedings shall have been suspended such an amount shall not have been realized by means of calls as, with the already invested assets, to be equal to the liabilities, an order shall be made on the petition as if the company had been proved insolvent.

Power to Court to reduce contracts.

22. The Court, in the case of a company which has been proved to be insolvent, may, if it thinks fit, reduce the amount of the contracts of the company upon such terms and subject to such conditions as the Court thinks just, in place of making a winding-up order.

Notices under this Act to policy holders.

23. Any notice which is by this Act required to be sent to any policy holder may be addressed and sent to the person to whom notices respecting such policy are usually sent, and any notice so addressed and sent shall be deemed and taken to be notice to the holder of such policy.

Statements, &c. to be laid before Parliament.

24. The Board of Trade shall lay annually before Parliament the statements and abstracts of reports deposited with them under this Act during the preceding year.

Exceptions.

25. This Act shall not affect the Commissioners for the Reduction of the National Debt, nor the Postmaster General, acting under the authorities vested in them respectively by the Acts tenth George the Fourth, chapter forty-one, third and fourth William the Fourth, chapter fourteen, sixteenth and seventeenth Victoria, chapter forty-five, and twenty-seventh and twenty-eighth Victoria, chapter forty-three.

FIRST SCHEDULE.

Revenue Account of the _____ for the year ending _____

18 . (Date.)		£ s. d.	18 . (Date.)		£ s. d.
	Amount of funds at the beginning of the year -			Claims under policies (after deduction of sums re-assured) - -	
	Premiums - -			Surrenders - -	
	Consideration for annuities granted - -			Annuities - -	
	Interest and dividends -			Commission - -	
	Other receipts (accounts to be specified) -			Expenses of management	
				Dividends and bonuses to shareholders (if any) -	
				Other payments (accounts to be specified) -	
				Amount of funds at the end of the year, as per Second Schedule - -	
	£			£	

Note 1.—Companies having separate accounts for annuities to return the particulars of their annuity business in a separate statement.

Note 2.—Items in this and in the accounts in the Third and Fifth Schedules should be the net amounts after deduction of the amounts paid and received in respect of re-assurances.

SECOND SCHEDULE.

Balance Sheet of the _____ on the _____ 18 .

LIABILITIES.	£ s. d.	ASSETS.	£ s. d.
Shareholders' capital paid up (if any) - - £		Mortgages on property within the United Kingdom - -	
Assurance fund - -		Do. do. out of the United Kingdom - -	
Annuity fund (if any) -		Loans on the company's policies -	
Other funds, if any, to be specified - -		Investments:	
		In British Government securities	
		Indian and Colonial government securities - -	
		Foreign government do. -	
Total funds as per First Schedule £		Railway and other debentures and debenture stocks -	
Claims admitted but not paid * -		Do. shares (preference and ordinary) - -	
Other sums owing by the company * (accounts to be specified) -		House property - -	
		Other investments (to be specified) - - -	
		Loans upon personal security -	
		Agents' balances - - -	
		Outstanding premiums - -	
		Do. interest - -	
		Cash:	
		On deposit - £	
		In hand and on current account -	
		Other assets (to be specified) -	
£		£	

* *Note.*—These items are included in the corresponding items in the First Schedule.

THIRD SCHEDULE.

Revenue Accounts of the _____ for the year ending _____.

(No. 1.) LIFE ASSURANCE ACCOUNT.

(Date.)		£	(Date.)		£
	Amount of life assurance fund at the beginning of the year			Claims under life policies (after deduction of sums re-assured)	
	Premiums, after deduction of re-assurance premiums			Surrenders	
	Consideration for annuities granted			Annuities	
	Interest and dividends			Commission	
	Other receipts (accounts to be specified)			Expenses of management	
				Other payments (accounts to be specified)	
				Amount of life assurance fund at the end of the year, as per Fourth Schedule	

Note.—Companies having separate accounts for annuities to return the particulars of their annuity business in a separate statement.

(No. 2.) FIRE ACCOUNT.

	£		£
Amount of fire insurance fund at the beginning of the year		Losses by fire, after deduction of re-assurances	
Premiums received, after deduction of re-assurances		Expenses of management	
Other receipts to be specified		Commission	
		Other payments to be specified	
		Amount of fire insurance fund at the end of the year, as per Fourth Schedule	

Note.—When marine or any other branch of business is carried on, the income and expenditure thereof to be in like manner stated in a separate account.

(No. 3.) PROFIT AND LOSS ACCOUNT.

	£		£
Balance of last year's account		Dividends and bonuses to shareholders	
Interest and dividends not carried to other accounts		Expenses not charged to other accounts	
Profit realised (accounts to be specified)		Loss realised (accounts to be specified)	
Other receipts		Other payments	
		Balance as per Fourth Schedule.	

Note.—This account is not required if the items have been incorporated in the other accounts of this schedule.

FOURTH SCHEDULE.

Balance Sheet of the _____ on the _____ 18___.

LIABILITIES.	£ s. d.	£ s. d.	ASSETS.	£ s. d.	£ s. d.
Shareholders capital - -			Mortgages on property within the United Kingdom - - -		
General reserve fund (if any) -			Do. do. out of the United Kingdom - - -		
Life assurance fund* - - -			Loans on the company's policies -		
Annuity fund (if any)* - -			Investments:		
Fire fund - - - -			In British Government securities -		
Marine fund - - - -			Indian and Colonial do. -		
Profit and loss (if any) - -			Foreign do. -		
Other funds, if any, to be specified -			Railway and other debentures and debenture stocks - -		
	£ s. d.	£	Do. shares (preference and ordinary) - - -		
Claims under life policies admitted but not yet paid* - -			House property - -		
Outstanding fire losses -			Other investments (to be specified)		
Do. marine do. -			Loans upon personal security -		
Other sums owing by the company (accounts to be specified) - -			Agents balances - - -		
			Outstanding premiums - -		
			Do. interest		
			Cash:		
			On deposit - - £		
			In hand and on current account -		
			Other assets (to be specified) -		
		£			£

* If the life assurance fund is, in accordance with section 4. of this Act, a separate trust fund for the sole security of the life policy holders, a separate balance sheet for the life branch may be given in the form contained in Schedule 2. In other respects the company is to observe the above form. See also note to Second Schedule.

FIFTH SCHEDULE.

STATEMENT respecting the VALUATION of the LIABILITIES under LIFE POLICIES and ANNUITIES of the , to be made by the ACTUARY.

(The answers should be numbered to accord with the numbers of the corresponding questions.)

1. The date up to which the valuation is made.

2. The principles upon which the valuation and distribution of profits among the policy holders are made, and whether these principles were determined by the instrument constituting the company, or by its regulations or byelaws, or otherwise.

3. The table or tables of mortality used in the valuation.

4. The rate or rates of interest assumed in the calculations.

5. The proportion of the annual premium income, if any, reserved as a provision for future expenses and profits. (If none, state how this provision is made.)

6. The consolidated revenue account since the last valuation, or, in case of a company which has made no valuation, since the commencement of the business. (This return should be made in the form annexed.)

7. The liabilities of the company under life policies and annuities at the date of the valuation, showing the number of policies, the amount assured, and the amount of premiums payable annually under each class of policies, both with and without participation in profits; and also the net liabilities and assets of the company, with the amount of surplus or deficiency. (These returns should be made in the forms annexed.)

8. The time during which a policy must be in force in order to entitle it to share in the profits.

9. The results of the valuation, showing—

(1.) The total amount of profit made by the company.

(2.) The amount of profit divided among the policy holders, and the number and amount of the policies which participated.

(3.) Specimens of bonuses allotted to policies for 100*l.* effected at the respective ages of 20, 30, 40, and 50, and having been respectively in force for five years, ten years, and upwards, at intervals of five years respectively, together with the amounts apportioned under the various modes in which the bonus might be received.

(FORM referred to under heading No. 6. in the Fifth Schedule.)

Consolidated Revenue Account of the for years commencing and ending

	£ s. d.		£ s. d.
Amount of funds on 18 , —the beginning of		Claims under policies (after deduction of sums re-assured)	
Premiums (after deduction of re-assurance premiums)		Surrenders	
Consideration for annuities granted		Annuities	
Interest and dividends		Commission	
Other receipts (accounts to be specified)		Expenses of management	
		Dividends and bonuses to shareholders (if any)	
		Other payments (accounts to be specified)	
		Amount of funds on 18 , —the end of the period, as per First (or Third) Schedule	
	£		£

(FORM referred to under heading No. 7. in Fifth Schedule.)

SUMMARY and VALUATION of the POLICIES of the as at 18 .

Description of Transactions.	Particulars of the POLICIES for Valuation.				VALUATION.			
					Value by the Table, Interest per cent.			
	Number of policies.	Sums assured and bonuses.	Office yearly premiums.	Net yearly premiums, if ascertained.	Sums assured and bonuses.	Office yearly premiums.	Net yearly premiums, if computed.	Net liability.
ASSURANCES.								
I. *With participation in profits.*								
For whole term of life -								
Other classes (to be specified) - - -								
Extra premiums payable -								
Total Assurances with profits - -								
II. *Without participation in profits.*								
For whole term of life -								
Other classes (to be specified) - - -								
Extra premiums payable -								
Total Assurances without profits - -								
Total assurances -								
Deduct re-assurances -								
Net amount of assurances								
Adjustments, if any								
ANNUITIES.								
Immediate								
Other classes (to be specified) - - - - -								
Total of the results - - - - -								

The term "extra premium" in this Act shall be taken to mean the charge for any risk not provided for in the minimum contract premium. If policies are issued in or for any country at rates of premium deduced from tables other than the European mortality tables adopted by the company, separate schedules similar in form to the above must be furnished.

(FORM referred to under heading No. 7. in Fifth Schedule.)

VALUATION BALANCE SHEET of as at 18 .

Dr.	£	Cr.	£
To net liability under Assurance and Annuity transactions (as per summary statement provided in Schedule 5). - -		By life assurance and annuity funds (as per balance sheet under Schedule 2 or 4) -	
To surplus, if any - -		By deficiency, if any - -	

SIXTH SCHEDULE.

STATEMENT of the LIFE ASSURANCE and ANNUITY BUSINESS of the . on the 18 .

(The answers should be numbered to accord with the numbers of the corresponding questions. Statements of re-assurances corresponding to the statements in respect of assurances under headings 2, 3, 4, 5, and 6, are to be given.)

1. The published table or tables of premiums for assurances for the whole term of life which are in use at the date above mentioned.

2. The total amount assured on lives for the whole term of life, which are in existence at the date above mentioned, distinguishing the portions assured with and without profits, stating separately the total reversionary bonuses and specifying the sums assured for each year of life from the youngest to the oldest ages.

3. The amount of premiums receivable annually for each year of life, after deducting the abatements made by the application of bonuses, in respect of the respective assurances mentioned under heading No. 2, distinguishing ordinary from extra premiums.

4. The total amount assured under classes of assurance business, other than for the whole term of life, distinguishing the sums assured under each class, and stating separately the amount assured with and without profits, and the total amount of reversionary bonuses.

5. The amount of premiums receivable annually in respect of each such special class of assurances mentioned under heading No. 4, distinguishing ordinary from extra premiums.

6. The total amount of premiums which has been received from the commencement upon all policies under each special class mentioned under heading 4 which are in force at the date above mentioned.

7. The total amount of immediate annuities on lives, distinguishing the amounts for each year of life.

8. The amount of all annuities other than those specified under heading No. 7, distinguishing the amount of annuities payable under each class, the amount of premiums annually receivable, and the amount of consideration money received in respect of each such class, and the total amount of premiums received from the commencement upon all deferred annuities.

9. The average rate of interest at which the life assurance fund of the company was invested at the close of each year during the period since the last investigation.

10. A table of minimum values, if any, allowed for the surrender of policies for the whole term of life and for endowments and endowment assurances, or a statement of the method pursued in calculating such surrender values, with instances of its application to policies of different standing and taken out at various interval ages from the youngest to the oldest.

Separate statements to be furnished for business at other than European rates, together with a statement of the manner in which policies on unhealthy lives are dealt with.

CHAP. 62.

An Act to amend and extend the Acts relating to Factories and Workshops. [9th August 1870.]

WHEREAS it is expedient to extend the Acts relating to factories to print works and bleaching and dyeing works, and to amend the Acts relating to factories and workshops:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited as "The Factory and Workshop Act, 1870." Short title.

PART I.—PRINT WORKS AND BLEACHING AND DYEING WORKS.

2. This part of this Act shall be construed as one with the Factory Acts Extension Act, 1867, in this part of this Act referred to as the principal Act. Construction of Act.

3. In this Act— Definition of terms.

The term "print works" means any premises in which any persons are employed to print figures, patterns, or designs upon any cotton, linen, woollen, worsted, or silken yarn, or upon any woven or felted fabric, not being paper:

The term "bleaching and dyeing works" means any premises, whether in the open air or not, in which the processes of bleaching, beetling, dyeing, calendering, finishing, hooking, lapping, and making up and packing any yarn or cloth of any material, or the dressing or finishing of lace, or any one or more of such processes, or any process incidental thereto, are or is carried on.

4. After the first day of January one thousand eight hundred and seventy-two, the principal Act and the schedule thereto (containing the permanent modifications) shall apply to print works and bleaching and dyeing works, in the same manner in all respects as if the word "factory" had been defined by section three of the principal Act to mean print works and bleaching and dyeing works, subject, nevertheless, to the following qualification: Application of Factory Acts to print works and bleaching and dyeing works.

The schedule to the principal Act shall be construed as if there were contained in that schedule the permanent modifications contained in the first schedule to this Act.

Provided that during the year beginning on the first day of January one thousand eight hundred and seventy-one the following regulations shall be observed in print works, in Turkey-red dyeing works, and in the process of open-air bleaching; (that is to say,)

1. Children shall be employed only for the same time and subject to the same conditions for and subject to which young persons exceeding thirteen years of age will be allowed to be employed therein after the first day of January one thousand eight hundred and seventy-two:
2. No woman and no female child or young person shall be employed at night except so far as she will be allowed to be so employed after the first day of January one thousand eight hundred and seventy-two:

And for the purpose of enforcing the said regulations the principal Act shall apply to such works and process in the same manner and subject to the same qualification as it will apply thereto after the first day of January one thousand eight hundred and seventy-two.

Repeal of Acts.

5. After the first of January one thousand eight hundred and seventy-two, the Acts mentioned in the first part of the third schedule to this Act shall be repealed, and the Act mentioned in the second part of the same schedule shall be repealed to the extent in the third column of that schedule mentioned.

PART II.—FRUIT AND FISH PRESERVES.

Modification as regards manufactures of preserves of fruit and fish of 30 & 31 Vict. c. 103. and 30 & 31 Vict. c. 146.

6. The schedule to the Factory Acts Extension Act, 1867, and the schedule to the Workshop Regulation Act, 1867, shall be construed as if there were contained in each of those schedules the permanent modification contained in the second schedule to this Act.

FIRST SCHEDULE.

PERMANENT MODIFICATIONS.

1. Whereas the customs or exigencies of the trade require that in print works and bleaching and dyeing works male young persons of the age of sixteen years and upwards should be occasionally employed beyond the hours allowed by the Factory Acts: It shall be lawful for one of Her Majesty's Principal Secretaries of State, on due proof to his satisfaction that such customs or exigencies exist in the case of any print works, or bleaching and dyeing works, and that such occasional employment is not injurious to the health of such male young persons, from time to time, by order to be advertised in the London Gazette, or otherwise published in such manner as he may think fit, to give permission that in the case of any particular factory or class of factories male young persons of sixteen years of age and upwards may be employed for a period not exceeding fifteen hours on any one day:

Provided that—

1st. They are not so employed except between the hours of six in the morning and nine in the evening.

2d. In addition to the time allowed under the Factory Acts for meals they shall be allowed half an hour for a meal after the hour of six in the evening.

3d. They are not so employed on the whole for more than seventy-two days in any period of twelve months, or for more than five consecutive days in any one week.

2. Where it is shown to one of Her Majesty's Principal Secretaries of State that, by reason of the nature of any process in any print works or bleaching and dyeing works, the time for the completion of such process cannot be accurately fixed, it shall be lawful for such Secretary of State from time to time, by order to be advertised in the London Gazette or otherwise published in such manner as he may think fit, to give permission in the case of any factory or class of factories that if, during the time limited by the order or during the continuance of the order, such process is in an incomplete state at the hour at which any child, young person, or woman employed in such process is required by this Act to cease work, such child, young

person, or woman may be employed in such process for a period not exceeding thirty minutes beyond the said hour.

3. In bleaching and dyeing works time lost by the breakage of machinery or by reason of frost or snow may be recovered in the same manner and subject to the same conditions as time lost by stoppages from want of water or from too much water may be recovered under the Factory Acts. See 7 & 8 Vict. c. 15. ss. 33, 34. 13 & 14 Vict. c. 54. s. 5. 16 & 17 Vict. c. 104. s. 3.

4. So much of the Factory Acts as provides that all the young persons employed in a factory shall have the time for meals at the same period of the day shall not apply to male young persons employed in that part of any print works or bleaching and dyeing works in which the process of dyeing or open-air bleaching is carried on; and nothing in the Factory Acts shall be deemed to prevent in any such part any male young person, during the time allowed for meals to any other young person or to any child or woman, from being employed or allowed to remain in any room in which any manufacturing process is carried on, or to prevent, during the time allowed for meals to any male young person, any other young person or any child or woman from being employed or allowed to remain in any room in which any manufacturing process is carried on. See 23 & 24 Vict. c. 78. s. 8.

5. So much of the Factory Acts as provides that in any factory in which the labour of young persons is restricted to ten hours in any one day a child may be employed ten hours in any one day on three alternate days of every week, subject to the conditions specified in the said Factory Acts, shall extend to authorise, in print works and bleaching and dyeing works in which the labour of young persons is restricted to ten hours and a half in any one day, the employment of children for ten hours and a half in any one day on three alternate days of every week, subject to the said conditions. 7 & 8 Vict. c. 15. s. 31.

6. In the operation of bleaching by the open-air process, and in the process of Turkey-red dyeing, whenever emergencies arising from the state of the weather or the nature of the processes render it necessary, any woman or young person may, subject to the provisions of the principal Act and this Act, work according to the accustomed hours of the trade: Provided that—

(1.) The hours of actual work do not exceed ten and a half hours in any one day:

(2.) The hours of actual work do not exceed sixty hours in any one week, such week to be reckoned between midnight on Saturday night and midnight on the succeeding Saturday night:

(3.) Reasonable intervals for meals, amounting in the whole to not less than the amount of time required for such intervals by the Factory Acts, shall be allowed to such woman or young person:

(4.) No such woman or young person shall be so employed between seven o'clock in the evening and five o'clock next morning:

Provided that, for the purpose only of preventing any damage which may arise from spontaneous combustion in the process of Turkey-red dyeing, or from any extraordinary atmospheric influence in the process of open-air bleaching, women and young persons may be employed so far as is necessary for the purpose of preventing such damage.

7. Whereas the exigencies of the processes of Turkey-red dyeing require that the hours between which young persons, and women, or certain sets of them, may be employed, should be varied so as to correspond to the accustomed hours of the trade: It is hereby declared, that it shall be lawful for one of Her Majesty's Principal

Secretaries of State from time to time, by order, to be advertised in the London Gazette, or otherwise published in such manner as he may think fit, to give permission that in the case of any particular factory or class of factories in which the process of Turkey-red dyeing is carried on, young persons and women, or any of them, or any sets of them, or of any of them, may, during the time specified in the order, or until further order, or on any day or days named in such order, be employed in such process between the hours specified in the order instead of between the hours prescribed by the Factory Acts; and, so far as respects the persons referred to in any such order, the Factory Acts shall, during the continuance of such order, be read as if the hours specified in the order were throughout such Acts substituted for the hours prescribed by the Factory Acts: Provided that—

(1.) No young person or woman shall be employed in pursuance of such order after half-past four o'clock in the afternoon of Saturday.

(2.) Notice of the hours between which women and young persons are to be employed in pursuance of this modification, in such form as the inspectors of factories may direct, and signed by one of such inspectors, and the occupier or his agent, shall, during the continuance of the order, be kept hung up in such conspicuous place in the factory as may be required by one of such inspectors.

8. Where, under the modifications contained in any schedule to the principal Act or to this Act, any child, young person, or woman is employed otherwise than under an order of the Secretary of State, during any hours different from those of the Factory Acts, the day on which and the period during which he or she is so employed shall be entered by the occupier of the factory in a register, which shall be in such form as the inspectors of factories may direct, and shall be deemed to be a register within the meaning of the Factory Acts.

SECOND SCHEDULE.

PERMANENT MODIFICATION.

See modification 14 in 30 & 31 Vict. c. 103. Sch.

In the manufacture of preserves from fruit, and in the processes of preserving or curing fish, women may be employed between the first of June and the twenty-fourth day of December for a period not exceeding fourteen hours on any one day:

Provided that—

1st. They shall not be so employed except between the hours of six in the morning and eight in the evening, or in a factory in which permission has been given by the Secretary of State to work between the hours of seven in the morning and seven in the evening, or of eight in the morning and eight in the evening, then except between the hours of seven in the morning and nine in the evening, or eight in the morning and ten in the evening, as the case may be.

2d. In addition to the time allowed under the Factory Acts for meals, they shall be allowed half an hour for a meal after the hour of five in the evening.

3d. They shall not be so employed on the whole for more than ninety-six days during the said period between the first day of June and the twenty-fourth day of December.

4th. They shall not be so employed for more than five consecutive days in any one week.

THIRD SCHEDULE.

FIRST PART.

Acts wholly repealed.

Year and Chapter.	Title.
8 & 9 Vict. c. 29.	An Act to regulate the labour of children, young persons, and women in the print works.
10 & 11 Vict. c. 70.	An Act to amend the law as to the school attendance of children employed in print works.
23 & 24 Vict. c. 78.	An Act to place the employment of women, young persons, and children in bleaching works and dyeing works under the regulations of the Factories Acts.
25 & 26 Vict. c. 8.	An Act to prevent the employment of women and children during the night in certain operations connected with bleaching by the open-air process.
26 & 27 Vict. c. 38.	An Act to amend the Act for placing the employment of women, young persons, and children in bleaching and dyeing works under the regulation of the Factories Acts.
27 & 28 Vict. c. 98.	An Act for extending the provisions of "The Bleaching and Dyeing Works Act, 1860."

SECOND PART.

Act partly repealed.

Year and Chapter.	Title.	Extent of Repeal.
30 & 31 Vict. c. 103.	The Factory Acts Extension Act, 1867.	Paragraphs two and three of section five.

CHAP. 63.

An Act to limit Wages Arrestment in Scotland.

[9th August 1870.]

WHEREAS great evils have arisen through the arrestment of wages of labourers, manufacturers, artificers, and other workpeople, and also by the provisions relating to such arrestment in the Act first of Victoria, chapter forty-one, and it is desirable to remedy these evils:

Be it hereby enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

Wages of artificers not to be liable to arrestment for debts

1. That from and after the first day of January one thousand eight hundred and seventy-one the wages of all labourers, farm servants, manufacturers, artificers, and workpeople shall

after 1 Jan. 1871.

cease to be liable to arrestment for debts contracted subsequent to the passing of this Act, save as herein-after excepted.

Limitation of liability of wages to arrestment.

2. If the amount of wages earned exceeds twenty shillings per week, any surplus above that amount shall still be liable to arrestment as before the passing of this Act, but the expense or cost of any such arrestment shall not be chargeable against the debtor unless in virtue of such arrestment the arresting creditor shall recover a sum larger than the amount of such expense or cost.

As to debts incurred before passing of Act.

3. No arrestment of wages shall hereafter attach more than the amount of any surplus above twenty shillings per week, unless it shall be stated on the face of the arrestment or indorsed thereon that the debt in respect of which it is used was incurred prior to the passing of this Act; and such statement may be made by a memorandum on the arrestment subscribed by the officer executing the same.

Act not to affect decrees for alimentary allowances or for rates and taxes.

4. This Act shall in no way affect arrestments in virtue of decrees for alimentary allowances or payments, or for rates and taxes imposed by law; but every arrestment used after the first day of January one thousand eight hundred and seventy-one for such alimentary allowances or payments, or for rates and taxes imposed by law, shall set forth the nature of the debt for which it has been used, otherwise the same shall not be effectual.

Short title.

5. This Act may be cited as "The Wages Arrestment Limitation (Scotland) Act."

CHAP. 64.

An Act to amend the Petty Sessions Clerk (Ireland) Act, 1858. [9th August 1870.]

WHEREAS it is expedient to amend the Petty Sessions Clerk (Ireland) Act, 1858:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Petty Sessions Clerk (Ireland) Act, 1858, Amendment Act, 1870."

Order for amalgamation of districts may be rescinded.

2. Where any order has been made by the Lord Lieutenant under the provisions of the said Petty Sessions Clerk (Ireland) Act, 1858, that two or more petty sessions districts shall be served by one and the same person as clerk, and if after the making of the same the justices at quarter sessions for the division of the county in which such districts, or any of the same, are situate shall represent to the Lord Lieutenant that the service of such districts by one clerk is inconvenient, the

Lord Lieutenant may rescind the said order by notice to be published in the Dublin Gazette, and to be notified to the clerk of the peace of the county in which the said districts are situate, by the chief or under secretary to the Lord Lieutenant, and thereupon such order shall be null and void.

CHAP. 65.

An Act to amend the Law relating to Advertisements respecting Stolen Goods. [9th August 1870.]

WHEREAS under section one hundred and two of the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-six, intituled "An Act to consolidate and amend the Statute "Law of England and Ireland relating to Larceny and other "similar offences," any person who prints or publishes advertisements for the return of stolen goods without questions being asked, or the like advertisements therein mentioned, forfeits the sum of fifty pounds to any person who wil sue for the same by action of debt: 24 & 25 Vict. c. 96. s. 102.

And whereas the provision in the said section has given occasion to many vexatious proceedings at the instance of common informers against printers and publishers of newspapers, and it is expedient to discourage the same:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as The Larceny (Advertisements) Act, 1870, and shall be construed as one with the recited Act, which may be cited as The Larceny Act, 1861, and that Act and this Act may be cited together as the Larceny Acts, 1861 and 1870.

Definition of "newspaper."

2. In this Act the term "newspaper" means a newspaper as defined for the purposes of the Acts for the time being in force relating to the carriage of newspapers by post.

Limitation of actions for advertisements of reward for return of stolen property.

3. Every action against the printer or publisher of a newspaper to recover a forfeiture under section one hundred and two of The Larceny Act, 1861, shall be brought within six months after the forfeiture is incurred, and no such action against the printer or publisher of a newspaper shall be brought unless the assent in writing of Her Majesty's Attorney General or Solicitor General for England, if the action is brought in England, or for Ireland, if the action is brought in Ireland, has been first obtained to the bringing of such action.

Stay of proceedings in action brought before passing of the Act.

4. Where any action has been brought before the passing of this Act against the printer or publisher of any newspaper for the recovery of any forfeiture incurred under section one

hundred and two of The Larceny Act, 1861, the defendant in such action may apply to a judge, if the action is brought in England, of one of the Superior Courts at Westminster, and if the action is brought in Ireland, of one of the Superior Courts at Dublin, and such judge upon such application and upon proof that sufficient notice of the application has been given to the plaintiff or his attorney, shall order that upon payment by the defendant of the plaintiff's costs out of pocket, incurred in the action up to the time of the application, the action shall be discontinued, or (if the forfeiture was incurred within six months before the passing of this Act) shall be discontinued unless the plaintiff before the expiration of six months from the date of the forfeiture obtain the assent required by this Act to the bringing of such action, and shall be stayed until such assent is obtained.

CHAP. 66.

An Act to make further provision for the Government of British Columbia. [9th August 1870.]

Preamble.

WHEREAS in pursuance of the powers vested in Her Majesty by an Act passed in the session holden in the twenty-first and twenty-second years of Her Majesty's reign, intituled "An Act to provide for the Government of British "Columbia," Her Majesty did, by an Order in Council, bearing date the eleventh day of June one thousand eight hundred and sixty-three, constitute a Legislature consisting of the Governor and a Legislative Council in the said colony of British Columbia:

21 & 22 Vict. c. 99.

And whereas by the British Columbia Act of 1866 Vancouver Island was united to British Columbia and made subject to the said Legislature, and the number of the Legislative Council was increased so as to provide for the representation of Vancouver Island:

And whereas it is expedient to alter the constitution of the said Legislature:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The British Columbia Government Act, 1870."

Interpretation of term "Governor."

2. For the purposes of this Act, the term "Governor" shall mean the officer for the time being administering the government of British Columbia.

Power to Her Majesty by Order in Council to

3. Her Majesty may, by any Order or Orders in Council, revoke the said recited Order in Council, and may from time to time make, and when made revoke or alter, Orders in

Council for constituting a Legislature consisting of the Governor and a Legislative Council for the said colony, and may by any such Order make such provisions and regulations respecting the constitution, powers, and proceedings of the said Legislature or either branch thereof, the number, the appointment, and election of the members of the Legislative Council, their tenure of office, and generally in respect to such Legislature or either branch thereof, as may seem to her expedient. constitute a Legislature.

4. Her Majesty may from time to time, by any such Order or Orders in Council, empower the Governor of the said colony, with or without any conditions or restrictions, by proclamation, to determine the qualification of electors and of elective members of the Legislative Council, and to make provision for the division of the said colony into convenient electoral districts; for the registration of persons qualified to vote, and the compilation and revision of lists of all such persons; for the appointment of returning officers; for the issuing, executing, and returning the necessary writs for the election of members to the said Legislative Council; for taking the poll thereat, and determining the validity of all disputed returns; and generally for securing the orderly, effective, and impartial conduct of such elections, and to revoke any proclamation previously made. Power to Her Majesty to delegate certain powers to the Governor of British Columbia.

CHAP. 67.

An Act to shorten the time of Active Service in the Army, and to amend in certain respects the Law of Enlistment. [9th August 1870.]

WHEREAS it is expedient to shorten the period of army service of soldiers enlisted to serve in Her Majesty's army, and to establish a reserve force which may be called into active service in a time of emergency; and also to amend in certain respects the law of enlistment in Her Majesty's army:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Army Enlistment Act, 1870." Short title.

2. From and after the passing of this Act, no person shall be enlisted for the first term of his engagement to serve Her Majesty as a soldier for a longer period than twelve years, to be reckoned from the day on which the recruit is attested for service. Twelve years the limit of enlistment.

3. Enlistments under this Act shall be as follows: either (1.) For the whole of the said period, in army service; or Terms of enlistment.

(2.) For a portion of the said period, to be fixed from time to time by the Secretary of State and specified in the attestation paper, in army service, and for the residue thereof in the first class of the reserve force established under the provisions of the Reserve Force Act, 1867; but nothing in this clause shall interfere with the power of Her Majesty to enlist men for a less period than twelve years in army service alone.

Change of service.

4. The Secretary of State may from time to time by general or special regulations vary the conditions of service so as to permit a soldier who has served not less than three years in army service, with such soldier's free assent, either

(1.) To enter the reserve force at once for the residue unexpired of his term of twelve years; or

(2.) To extend his army service for the residue unexpired of his term of twelve years.

In imminent national danger, Her Majesty may continue soldiers in army service.

5. It shall be lawful for Her Majesty, in case of imminent national danger or of great emergency, the occasion being first communicated to Parliament if Parliament be then sitting, or declared by proclamation, in pursuance of an order of Her Majesty in Council, if Parliament be not then sitting, to direct that any soldier enlisted under this Act shall at any time within the period of twelve years for which he has been enlisted continue in or re-enter upon army service for such periods from time to time, not exceeding in the whole the unexpired residue of the term of his enlistment, as Her Majesty may determine; and upon such order being issued every soldier to whom it applies shall be bound to obey the same in the same manner as if it had formed part of this Act. When any such soldier is directed to re-enter upon army service under this section, it shall be lawful for the military authorities to attach him to any regiment of that arm or branch of the service in which he has previously served.

Enlistment for general service, &c.

6. From and after the passing of this Act, all enlistments, except as herein-after mentioned, shall be for general service; and it shall be lawful for the military authorities to post any recruit so enlisted to any regiment or corps, and at any time within fifteen months after his attestation to direct him to be attached to any regiment or corps; but the Secretary of State may, from time to time, by any general or special regulations, permit recruits to be enlisted for particular regiments, and in such case they shall at once be attached to such regiments.

Effect of attachment to a regiment.

7. When a soldier has been attached to a regiment or corps he shall serve therein for the period of his army service; provided that it shall be lawful for the military authorities to transfer him to any regiment or corps of the same arm or branch of the service serving in the United Kingdom, in the following cases;

(1.) When he has been invalided from foreign service;

(2.) When, in the case of his regiment or corps being ordered on foreign service, he is either unfit for foreign service by reason of his health, or is within two years of the termination of the period of his army service, or of his enlistment, or of such re-engagement as is herein-after mentioned;

and to a regiment or corps of the same arm or branch of the service serving abroad, when, in the case of his regiment or corps being on foreign service, and ordered to return home, he has more than two years to serve previous to the termination of the period of his army service: Provided that the power of transfer in this case shall not apply to any man who enlists for the whole of the period of twelve years in army service, or to any man who, having enlisted for a portion of the said period in army service, has extended his army service for the residue unexpired of his term of twelve years, or to any man who has re-engaged.

Provided also, that nothing in this section contained shall affect the powers of transferring soldiers contained in any Act for punishing mutiny and desertion, and for the better payment of the army and for their quarters, for the time being in force.

Re-engagement of soldiers.

8. Any soldier

(1.) Who being in army service has commenced the twelfth year from his first enlistment, or

(2.) Who being within three years of the expiration of his first enlistment and in army service has been ordered but has not yet proceeded on foreign service,

may, with the approval of his commanding officer or of some other competent military authority, and subject to such regulations as may from time to time be made by the Secretary of State, be re-engaged for such further period of army service as will make up a total continuous period of twenty-one years in Her Majesty's service, reckoning from the time of his first enlistment.

Limit of numbers.

9. The number of men serving in the militia reserve under the Militia Reserve Act, 1867, and in the army reserve, first class, under the Reserve Force Act, 1867, and this Act, shall not exceed in the whole sixty thousand.

Continuance in Her Majesty's service after twenty-one years therein.

10. Any soldier who has completed a total period of twenty-one years service may give notice to his commanding officer of his desire to continue in Her Majesty's service; and if his commanding officer or any other competent military authority approve of such application he may be continued as a soldier in the same manner in all respects as if his term of service were still unexpired, except that it shall be lawful for him to claim his discharge at the expiration of any period of three months after he has given notice to his commanding officer of his wish to be discharged.

Prolongation of enlistment in certain cases.

11. Any soldier whose period of army service or whose whole period of enlistment, as the case may be, expires while a state of war exists between Her Majesty and any foreign power, or while he is serving on foreign service, or on any colonial or Indian station, may be detained and his service may be prolonged for such further period not exceeding twelve months as the Secretary of State or the commanding officer at the station may direct; but at the expiration of such prolonged service, or sooner, if the said Secretary of State or commanding officer see fit, such soldier shall be transferred to the reserve force or discharged, as the case may be, and if serving abroad he shall, unless he desires to remain at the place where he is serving, be sent home at the public charge, with all convenient speed, and after his arrival he shall be transferred to the reserve force or discharged, as the case may be.

Rules for reckoning service.

12. In reckoning the service of a soldier for the purposes of discharge under the provisions of this Act, all periods of time shall be excluded during which he has been absent from his duty for any of the following causes; that is to say,

1. Imprisonment; provided that imprisonment shall not for the purposes of this section include detention in respect of any trial which results in the acquittal or discharge of the prisoner.
2. Desertion.
3. Absence without leave exceeding five days.
4. Detention as a prisoner of war, unless it appear to the satisfaction of a court-martial to be summoned on his rejoining Her Majesty's service that he was not taken prisoner through his own wilful neglect of duty, and that he rejoined as soon as he could and ought to have done.

Discharge on completion of service.

13. Every soldier who has completed his period of service or of army service, according to the provisions of this Act, shall be entitled to his discharge, or transfer to the reserve force, as the case may be, unless at the time of the expiration of such period of service he stands charged with the commission of any offence, in which case his discharge or transfer to the reserve force shall be deferred, until he has undergone his trial and any punishment awarded to him.

Provisions in Reserve Force Act, 1867, and Militia Reserve Act, 1867, as to calling reserve and militia into active service extended to cases of immi-

14. Whereas by the Reserve Force Act, 1867, section ten, it is provided that in case of actual invasion or imminent danger thereof, or in case a state of war exists between Her Majesty and any foreign power, it shall be lawful for Her Majesty by proclamation to direct that the reserve force by that Act constituted, or such part thereof as Her Majesty may think fit, be called out on permanent service:

And whereas by the Militia Reserve Act, 1867, section eight, it is provided that whenever a state of war exists between Her Majesty and any foreign power, and in all cases

of actual invasion or imminent danger thereof, it shall be lawful for Her Majesty to order that the men enlisted under the said Act or such of them as Her Majesty may judge necessary shall enter upon army service:

nent national danger. 30 & 31 Vict. c. 110. s. 10. 30 & 31 Vict. c. 111. s. 8.

And whereas it is expedient to assimilate the conditions under which men of the reserve force established under the said Acts of one thousand eight hundred and sixty-seven may be called to enter upon army service to those under which men enlisted under this Act may be directed to continue in or re-enter upon army service: Be it enacted as follows:

1. Section ten of the Reserve Force Act, 1867, shall be construed as if the words "in case of imminent national "danger or of great emergency, the occasion being first "communicated to Parliament if Parliament be then "sitting, or declared by proclamation," were inserted "in the said section in place of the words "in case of "actual invasion or imminent danger thereof, or in "case a state of war exists between Her Majesty and "any foreign power:"

2. Section eight of the Militia Reserve Act, 1867, shall be construed as if the words "in case of imminent national danger "or of great emergency, the occasion being first com- "municated to Parliament if Parliament be then "sitting, or declared by proclamation," were inserted "in the said section in place of the words "whenever "a state of war exists between Her Majesty and any "foreign power, and in all cases of actual invasion or "imminent danger thereof."

Provided that nothing in this section contained shall affect any person enlisted under the said Acts of one thousand eight hundred and sixty-seven before this Act comes into operation, except with his own consent.

Soldiers who have exceeded the first term of their engagement may be enrolled in reserve.

15. From and after the passing of this Act any soldier who is serving or has served in any of Her Majesty's regular forces, and whose service (or past service) has exceeded the first term of his enlistment, may be enrolled to serve in the first class of the reserve force established under the Army Reserve Act, 1867; provided that no such soldier is when so enrolled above the age of thirty-four years.

Power of Secretary of State to issue orders and forms.

16. The Secretary of State may from time to time issue such orders and forms for enlisting recruits and for otherwise carrying into effect this Act as he thinks expedient, and any orders and forms so issued shall be of the same force as if expressly enacted in this Act.

Saving of provisions of Acts relating to enlistment.

17. All provisions of any Act of Parliament for the time being in force relating to the enlistment of recruits for Her Majesty's army shall, in so far as they are not inconsistent with this Act, be deemed to be incorporated with this Act, and to apply accordingly to any enlistments made in pursuance of this Act.

Application of Act to men under Army Enlistment Act, 1867.

18. This Act shall apply to men serving for the first term of their enlistment under the Act of the session holden in the tenth and eleventh years of Her Majesty's reign, chapter thirty-seven, intituled "An Act for limiting the term of service in the army," and the Army Enlistment Act, 1867, in the same manner as if they had been enlisted under this Act; provided that this Act shall not be applied to any man enlisted under such last-mentioned Act, except with his own consent.

Training of first class of reserve force.

19. The Secretary of State may from time to time make regulations for the training of persons serving in pursuance of this Act in the first class of the reserve force in such manner and during such periods as he may consider to interfere as little as possible with their ordinary trades or occupations, and as do not exceed in any one year twelve whole days or twenty drills.

Service of notices on reserve force.

20. The Secretary of State may require the chief officer of police in every district in the United Kingdom to cause to be served within his district any notice the Secretary of State may desire to be served on any members of the reserve forces in such district; and all officers and men of every police force shall conform to the orders of the said Secretary of State in relation to the service of such notices given through such officer.

"The reserve forces" shall mean the army reserve, the militia reserve, and any other reserve forces as defined by Act of Parliament, also the militia, yeomanry, volunteers, and any other land forces whatever within the United Kingdom, serving or liable to be called upon to serve Her Majesty in any military capacity and not forming part of the regular army.

Repeal.

21. From and after the passing of this Act, section eight of the Reserve Force Act, 1867, and all enactments inconsistent with this Act, shall be repealed.

Definition of Secretary of State.

22. The Secretary of State shall mean any one of Her Majesty's Principal Secretaries of State.

CHAP. 68.

An Act to amend the Acts relating to the Militia of the United Kingdom. [9th August 1870.]

WHEREAS under the Acts in force concerning the Militia of the United Kingdom the Militia can be drawn out and embodied in England and Scotland respectively only in case of actual invasion or of imminent danger of invasion, or in case of rebellion or insurrection, or in case of a state of war existing between Her Majesty and a foreign power; and in Ireland only in case of actual invasion, rebellion, or insurrection, or of immediate danger thereof, or in case of a state of war existing between Her Majesty and a foreign power:

And whereas under the Acts aforesaid additional Militia can be raised only in case of actual invasion or imminent danger thereof:

And whereas it is expedient to amend the aforesaid Acts as herein-after mentioned:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of the Acts relating to the Militia in cases of emergency.

1. In case of imminent national danger or of great emergency, the occasion being first communicated to Parliament, if Parliament be then sitting, or declared by proclamation in pursuance of an Order of Her Majesty in Council if Parliament be not then sitting, it shall be lawful for Her Majesty and for the Lord Lieutenant or other chief governor or governors of Ireland respectively to cause the whole or any part of the respective Militias of England, Scotland, and Ireland to be drawn out and embodied, or to cause additional Militia to be raised for England, Scotland, or Ireland in the manner by the said Acts authorised in the cases mentioned in the said Acts; and all the provisions of the said Acts and of any Acts amending the said Acts applicable to the drawing-out, embodying, and raising such respective Militias, and to such Militias when so drawn out, embodied, and raised, shall apply in the case of the Militias to be drawn out, embodied, or raised in pursuance of the provisions of this Act; but this Act shall not apply to any man enlisted under any of the said Acts without his own consent.

Parliament to be summoned within ten days.

2. Whenever in pursuance of the provision of this Act Her Majesty causes any Militia to be drawn out, embodied, or raised as aforesaid, if Parliament be then separated by such adjournment or prorogation as will not expire within ten days; a proclamation shall be issued for the meeting of Parliament within ten days, and Parliament shall accordingly meet and sit upon such day as may be appointed by such proclamation, and shall continue to sit and act in like manner as if it had stood adjourned or prorogued to such day.

CHAP. 69.

An Act for further promoting the revision of the Statute Law by repealing certain enactments that have ceased to be in force or are consolidated by certain Acts of the present Session.

[9th August 1870.]

WHEREAS the enactments described in the schedule to this Act have ceased to be in force, or on the commencement of Acts of the present session relating to the National

Debt and to Forgery will cease to be in force, and, with a view to the revision of the Statute Law, and particularly to the preparation of the revised edition of the Statutes now in progress, it is expedient that the same enactments be expressly repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Enactments in schedule repealed, but not to affect validity of certain Acts.

1. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions in the schedule mentioned:

Provided that this Act shall not affect the validity, invalidity, effect or consequences of any letter or power of attorney or other instrument or thing already made, done or suffered,—or any right or title already acquired or accrued, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, claim or demand,—or any indemnity,—or the proof of any past act or thing;

and the repeal by this Act of any enactment shall not affect any Act in which such enactment has been applied, incorporated or referred to;

nor shall such repeal affect any jurisdiction or procedure given or authorised by any Act hereby repealed with reference to questions arising in consequence of any commutation or payment under such Act, or affect any protection conferred by such Act in reference to any act, matter or thing done by any trustee, executor, administrator or other person;

nor shall such repeal affect any right to any hereditary revenues of the Crown, or affect any charges thereupon, or prevent any enactment from being put in force for the collection of any such revenues, or otherwise in relation thereto.

Short title.

2. This Act may be cited as the Statute Law Revision Act, 1870.

SCHEDULE.

9 Gul. 3. c. 3.	An Act to give further time for the adminstring of oaths relating to talleys & orders and for the easier dispatch of the publick businesse in the Exchequer & in the Bank of England.
1 Geo. 1. Stat. 1. c. 2.	An Act for rectifying mistakes in the names of the Commissioners for the Land Tax for the year one thousand seven hundred and fourteen; and for raising so much as is wanting to make up the sum of fourteen hundred thousand pounds, intended to be raised by a lottery for the publick service in the said year.
1 Geo. 1. Stat. 2. c. 12.	*An Act the title of which begins with the words,*—An Act for enlarging the fund of the governor and company of the Bank of England relating to Exchequer-Bills,—*and ends with the words,*—and for other purposes therein mentioned.
c. 19.	An Act for raising nine hundred and ten thousand pounds for publick services, by sale of annuities, after the rate of five pounds per centum per annum, redeemable by Parliament; and to authorize a treaty concerning private rights claimed by the proprietors of the sugar-houses in Scotland.
c. 21.	*An Act the title of which begins with the words,*—An Act for enlarging the capital stock and yearly fund of the South-Sea Company,—*and ends with the words,*—and for appropriating several supplies granted to His Majesty.
3 Geo. 1. c. 7.	*An Act the title of which begins with the words,*—An Act for redeeming the duties and revenues which were settled to pay off principal and interest on the orders made forth on four Lottery Acts,—*and ends with the words,*—and for taking off the duties on linseed imported, and British linen exported.
c. 8. in part.	*An Act the title of which begins with the words,*—An Act for redeeming several funds,—*and ends with the words,*—and for other purposes in this Act mentioned } in part; namely,— Sections one to thirty-seven, forty to forty-four, forty-six to fifty-two, and section fifty-four to end of Act.
c. 9.	*An Act the title of which begins with the words,*—An Act for redeeming the yearly fund of the South-Sea Company,—*and ends with the words,*—time and manner thereby prescribed.
4 Geo. 1. c. 10.	An Act for making the dividend of subscribed lottery-annuities, and other annuities established by several Acts of Parliament payable half-yearly at the Bank of England.
5 Geo. 1. c. 3.	An Act for applying certain overplus monies, and further sums to be raised, as well by way of a lottery, as by loans, towards paying off and cancelling exchequer-bills, and for lessening the present great charge in relation to those bills; and for circulating and exchanging for ready money the residue of the same bills for the future.
c. 9.	An Act for continuing certain duties upon coals and culm, and for establishing certain funds to raise money, as well to proceed in the building of new churches, as also to compleat the supply granted to His Majesty; and to reserve the overplus monies of the said duties for the disposition of Parliament; and for more effectual suppressing private lotteries.
c. 19.	*An Act the title of which begins with the words,*—An Act for redeeming the fund appropriated for payment of the lottery-tickets,—*and ends with the words,*—and to limit times for prosecutions upon bonds for exporting cards and dice.
6 Geo. 1. c. 4.	*An Act the title of which begins with the words,*—An Act for enabling the South-Sea Company,—*and ends with the words,*—demand at or near the exchequer.
c. 10.	*An Act the title of which begins with the words,*—An Act for making forth new exchequer-bills,—*and ends with the words,*—and for circulating and exchanging upon demand the said bills at or near the exchequer.

c. 11. in part.	*An Act the title of which begins with the words,*—An Act for laying a duty upon wrought plate,—*and ends with the words,*—senna imported in the year one thousand seven hundred and sixteen - - - - } in part; namely,— Sections four to forty, and forty-two to end of Act.
7 Geo. 1. Stat. 1. c. 5.	An Act to enable the South-Sea Company to ingraft part of their capital stock and fund into the stock and fund of the Bank of England, and another part thereof into the stock and fund of the East-India Company; and for giving further time for payments to be made by the said South-Sea Company, to the use of the publick.
c. 27. in part.	*An Act the title of which begins with the words,*—An Act for raising a sum not exceeding five hundred thousand pounds,—*and ends with the words,*—and for making good a deficiency to the East-India Company - - - - - - - - - } :— Except section nineteen.
Stat. 2.	An Act for making several provisions to restore the publick credit, which suffers by the frauds and mismanagements of the late directors of the South-Sea Company and others.
8 Geo. 1. c. 20.	*An Act the title of which begins with the words,*—An Act for paying off and cancelling one million of exchequer-bills,—*and ends with the words,*—and for ascertaining the duties on pictures imported.
c. 21. in part.	*An Act the title of which begins with the words,*—An Act to enable the South-Sea Company,—*and ends with the words,*—touching payment of ten per centum therein mentioned - - - - } in part; namely,— Sections one to three, five, six, eight, nine, section eleven from "and that the part or parts" to end of that section, and section sixteen to end of Act.
c. 22.	An Act to prevent the mischiefs by forging powers to transfer such stocks, or to receive such annuities or dividends as are therein mentioned, or by fraudulently personating the true owners thereof; and to rectify mistakes of the late managers for taking subscriptions for increasing the capital stock of the South-Sea Company, and in the instruments founded thereupon.
9 Geo. 1. c. 5.	An Act for redeeming certain annuities, now payable by the cashier of the Bank of England, at the rate of five pounds per centum per annum.
c. 6.	*An Act the title of which begins with the words,*—An Act for reviving and adding two millions to the capital stock of the South-Sea Company,—*and ends with the words,*—and for continuing, for one year longer, the provision formerly made against requiring special bail in actions or suits upon such contracts as are therein mentioned.
c. 12.	An Act for the more easy assigning or transferring certain redeemable annuities, payable at the Exchequer, by endorsements on the standing orders for the same.
10 Geo. 1. c. 5.	*An Act the title of which begins with the words,*—An Act for redeeming certain annuities after the rate of five pounds per centum per annum,—*and ends with the words,*—and for granting relief to Catherine Collingwood, widow.
11 Geo. 1. c. 9. in part.	*An Act the title of which begins with the words,*—An Act for continuing the several annuities,—*and ends with the words,*—bank-bills or notes - - - } in part; namely,— Section six.
c. 17.	An Act for redeeming the annuities of twenty-five thousand pounds per annum, charged on the civil list revenues, by an Act of the seventh year of His Majesty's reign; and for discharging the debts and arrears due from His Majesty to his servants, tradesmen, and others.
12 Geo. 1. c. 2. in part.	An Act for granting to His Majesty the sum of one million, to be raised by way of a lottery - - - } in part; namely,— Section two to end of Act.

13 Geo. 1. c. 3.	*An Act the title of which begins with the words,*—An Act for redeeming sundry annuities transferrable at the Bank of England,—*and ends with the words,*—the sufferers at Nevis and St. Christopher's, as far as the same will extend.
c. 21.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the sum of three hundred and seventy thousand pounds,—*and ends with the words,*—since made perpetual.
1 Geo. 2. Stat. 2. c. 8. in part.	*An Act the title of which begins with the words,*—An Act for granting an aid to His Majesty,—*and ends with the words,*—and for applying the arrears of His late Majesty's civil list revenues } in part; namely,— Sections one to four, six, seven, nine to eleven, section twelve from "and from and after" to end of that section, section fourteen, and section sixteen to end of Act.
2 Geo. 2. c. 3. in part.	An Act for raising the sum of one million two hundred and fifty thousand pounds by sale of annuities to the Bank of England, after the rate of four pounds per centum per annum, redeemable by Parliament; and for applying the produce of the sinking fund } in part; namely,— Sections one to four, six, eight to ten, section eleven from "and from and after" to end of that section, section thirteen, and section fifteen to end of Act.
3 Geo. 2. c. 16.	*An Act the title of which begins with the words,*—An Act for raising five hundred and fifty thousand pounds,—*and ends with the words,*—by the receiver general for the county of Salop.
4 Geo. 2. c. 5.	An Act for the further application of the sinking fund, by paying off one million of South-Sea annuities.
c. 9.	An Act for raising one million two hundred thousand pounds by annuities and a lottery, in manner therein mentioned, and for appropriating the supplies granted in this session of Parliament, and for making forth duplicates of exchequer bills, lottery tickets and orders lost, burnt or otherwise destroyed.
5 Geo. 2. c. 17.	An Act for the further application of the sinking fund, by paying off one million of South-Sea stock; and for appropriating the supplies granted in this session of Parliament; and for making forth duplicates of exchequer bills, lottery tickets and orders, lost, burnt or otherwise destroyed.
6 Geo. 2. c. 28.	An Act for the converting a further part of the capital stock of the South-Sea Company into annuities redeemable by Parliament, and for settling the remaining part of the said stock in the said Company.
9 Geo. 2. c. 34.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to borrow,—*and ends with the words,*—and for appropriating the supplies granted in this session of Parliament.
10 Geo. 2. c. 17.	*An Act the title of which begins with the words,*—An Act for repealing the present duty on sweets,—*and ends with the words,*—orders lost, burnt, or otherwise destroyed.
11 Geo. 2. c. 27.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the sum of two millions,—*and ends with the words,*—and for the further appropriating the supplies granted in this session of Parliament.
15 Geo. 2. c. 13. in part.	An Act for establishing an agreement with the governor and company of the Bank of England, for advancing the sum of one million six hundred thousand pounds, towards the supply for the service of the year one thousand seven hundred and forty-two } in part; namely,— Sections one to five and nine to eleven.
c. 19.	An Act for granting to His Majesty the sum of eight hundred thousand pounds, to be raised by annuities transferrable at the Bank of England; and for ascertaining the customs and duties upon quicksilver taken as prize during the present war; and for the further appropriating the supplies granted in this session of Parliament.

16 Geo. 2. c. 12.	*An Act the title of which begins with the words,*—An Act for repealing the several rates and duties upon victuallers and retailers of beer and ale,—*and ends with the words,*—duties for licences.
c. 13.	An Act for raising by annuities and a lottery in manner therein mentioned, the sum of one million eight hundred thousand pounds, at three pounds per centum per annum, for the service of the year one thousand seven hundred and forty-three.
17 Geo. 2. c. 18.	An Act for raising by annuities, and a lottery, in manner therein mentioned, the sum of one million eight hundred thousand pounds, at three pounds per centum per annum, for the service of the year one thousand seven hundred and forty-four.
18 Geo. 2. c. 9.	An Act for granting to His Majesty several additional duties upon all wines imported into Great Britain; and for raising a certain sum of money by annuities, and a lottery, in manner therein mentioned, to be charged on the said additional duties.
19 Geo. 2. c. 6. in part.	An Act for establishing an agreement with the governor and company of the Bank of England, for cancelling certain exchequer bills upon the terms therein mentioned; and for obliging them to advance the sum of one million upon the credit of the land-tax and malt duties, granted to His Majesty for the service of the year one thousand seven hundred and forty-six - - - - - - - } in part; namely,— Sections one, two, four, six, seven, nine, ten, and section fifteen to end of Act.
c. 12.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty several rates and duties upon glass, and upon spirituous liquors,—*and ends with the words,*—last session of Parliament.
20 Geo. 2. c. 3.	An Act for repealing the several rates and duties upon houses, windows and lights; and for granting to His Majesty other rates and duties upon houses, windows or lights; and for raising the sum of four millions four hundred thousand pounds by annuities, to be charged on the said rates or duties.
c. 10.	An Act for granting to His Majesty several rates and duties upon coaches, and other carriages therein mentioned; and for raising the sum of one million, by way of lottery, to be charged upon the said rates and duties.
21 Geo. 2. c. 2.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a subsidy of poundage,—*and ends with the words,*—as enacts that prize goods and merchandize may be exported without paying any duty of custom or excise for the same.
22 Geo. 2. c. 23.	An Act to charge the sinking fund with the payment of annuities in discharge of navy, victualling and transport bills, and ordnance debentures, to the amount therein mentioned.
23 Geo. 2. c. 1. in part.	An Act for reducing the several annuities which now carry an interest after the rate of four pounds per centum per annum, to the several rates of interest therein mentioned - - - - - } :— Except so far as relates to interest on the debt from the public to the governor and company of the Bank of England.
c. 16.	An Act for granting to His Majesty the sum of one million, to be raised by annuities at three pounds per centum per annum, and charged on the sinking fund, transferrable at the Bank of England.
c. 22. in part.	An Act for giving further time to the proprietors of annuities, after the rate of four pounds per centum per annum, to subscribe the same in the manner, and upon the terms therein mentioned; and for redeeming such of the said annuities as shall not be so subscribed; and for empowering the East India Company to raise certain sums by transferrable annuities - - - - - - - } :— Except so far as relates to interest on the debt from the public to the governor and company of the Bank of England.

24 Geo. 2. c. 2.	An Act for granting to His Majesty the sum of two millions one hundred thousand pounds, to be raised by annuities and a lottery, and charged on the sinking fund, redeemable by Parliament.
c. 4. in part.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to raise the several sums of money therein mentioned,—*and ends with the words,*—annuities omitted to be subscribed, pursuant to two Acts of the last session of Parliament - - :— Except sections twenty-one and twenty-two
c. 11.	An Act for reducing the interest upon the capital stock of the South Sea Company, from the time and upon the terms therein mentioned; and for preventing of frauds committed by the officers and servants of the said Company.
25 Geo. 2. c. 25.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain sum of money therein mentioned,—*and ends with the words,*—and for the further appropriating the supplies granted in this session of Parliament.
c. 27.	An Act for converting the several annuities therein mentioned into several joint stocks of annuities, transferrable at the Bank of England, to be charged on the sinking fund; and also for consolidating the several other annuities therein mentioned, into several joint stocks of annuities, transferrable at the South-Sea House.
26 Geo. 2. c. 1.	*An Act the title of which begins with the words,*—An Act for continuing and granting to His Majesty certain duties upon malt, mum, cyder and perry,—*and ends with the words,*—into the joint stock of annuities therein mentioned.
c. 23.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain sum of money therein mentioned, out of the sinking fund,—*and ends with the words,*—and for other purposes therein mentioned.
28 Geo. 2. c. 15.	An Act for granting to His Majesty the sum of one million, to be raised by a lottery.
29 Geo. 2. c. 7.	An Act for granting to His Majesty the sum of two millions, to be raised by way of annuities and a lottery, and charged on the sinking fund, redeemable by Parliament; and for extending to Ireland the laws made in this kingdom against private and unlawful lotteries.
30 Geo. 2. c. 19.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty several rates and duties upon indentures, leases, bonds, and other deeds,—*and ends with the words,*—duties omitted to be paid for the indentures and contracts for clerks and apprentices.
31 Geo. 2. c. 22. in part.	An Act for granting to His Majesty several rates and duties upon offices and pensions; and upon houses; and upon windows or lights; and for raising the sum of five millions by annuities, and a lottery, to be charged on the said rates and duties - - in part; namely,— Sections eight, nine, and thirty-one to seventy-eight.
32 Geo. 2. c. 10.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a subsidy of poundage,—*and ends with the words,*—additional inland duty.
c. 22.	*An Act the title of which begins with the words,*—An Act for adding certain annuities,—*and ends with the words,*—on the produce of the said fund.
33 Geo. 2. c. 7. in part.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty several duties upon malt,—*and ends with the words,*—orders, lost, burnt, or otherwise destroyed - - - - :— Except section sixteen.
c. 12.	*An Act the title of which begins with the words,*—An Act for adding certain annuities granted in the year one thousand seven hundred and fifty-nine,—*and ends with the words,*—not disposed of.

1 Geo. 3. c. 7.	An Act for granting to His Majesty an additional duty upon strong beer and ale; and for raising the sum of twelve millions, by way of annuities and a lottery, to be charged on the said duty; and for further encouraging the exportation of strong beer and ale.
2 Geo. 3. c. 9.	*An Act the title of which begins with the words,*—An Act for charging certain annuities,—*and ends with the words,*—and other orders lost, burnt, or otherwise destroyed.
c. 10.	An Act for raising by annuities, in manner therein mentioned, the sum of twelve millions, to be charged on the sinking fund; and for applying the surplus of certain duties on spirituous liquors, and also the monies arising from the duties on spirituous liquors, granted by an Act of this session of Parliament.
3 Geo. 3. c. 9.	An Act for granting annuities to satisfy certain navy, victualling, and transport bills, and ordnance debentures; and for charging the payment of such annuities on the sinking fund; and making good the same to the said fund, in manner therein mentioned.
c. 12.	An Act for granting to His Majesty several additional duties upon wines imported into this kingdom, and certain duties upon all cyder and perry; and for raising the sum of three millions five hundred thousand pounds by way of annuities and lotteries, to be charged on the said duties.
4 Geo. 3. c. 18.	*An Act the title of which begins with the words,*—An Act for charging on the sinking fund certain annuities,—*and ends with the words,*—annuities granted by an Act passed in the second year of His present Majesty's reign.
c. 25.	*An Act the title of which begins with the words,*—An Act for establishing an agreement with the governor and company of the Bank of England,—*and ends with the words,*—and the fraudulent personating the owners thereof.
5 Geo. 3. c. 16.	An Act for altering the times of payment of certain annuities, established by two Acts made in the thirty-third year of the reign of His late Majesty, and in the second year of the reign of His present Majesty.
c. 23.	An Act for granting annuities, to be attended with a lottery, to satisfy and discharge certain navy, victualling, and transport bills; and for charging the payment of such annuities on the sinking fund.
c. 42.	An Act for redeeming one-fourth part of the joint stock of annuities established by an Act made in the third year of His present Majesty's reign, in respect of several navy, victualling, and transport bills, and ordnance debentures.
6 Geo. 3. c. 21.	An Act for redeeming one-third part of the remainder of the joint stock of annuities, established by an Act made in the third year of His present Majesty's reign, in respect of several navy, victualling, and transport bills, and ordnance debentures.
c. 39.	An Act for raising the sum of one million five hundred thousand pounds, by way of annuities and a lottery, to be charged on the sinking fund.
7 Geo. 3. c. 24.	An Act for raising the sum of one million five hundred thousand pounds, by way of annuities, and a lottery attended with annuities, to be charged on the sinking fund.
c. 25.	*An Act the title of which begins with the words,*—An Act for redeeming one-fourth part of the joint stock annuities,—*and ends with the words,*—to be charged on the said duties.
c. 26.	An Act for redeeming the remainder of the joint stock of annuities established by an Act made in the third year of His present Majesty's reign, in respect of several navy, victualling, and transport bills, and ordnance debentures.
8 Geo. 3. c. 29.	*An Act the title of which begins with the words,*—An Act for redeeming the remainder of the joint stock of annuities,—*and ends with the words,*—to be charged on the said duties.
c. 31.	*An Act the title of which begins with the words,*—An Act for raising a certain sum of money,—*and ends with the words,*—to the said fund.

10 Geo. 3. c. 36.	*An Act the title of which begins with the words,*—An Act for redeeming the capital or joint stock of annuities,—*and ends with the words,*—private and unlawful lotteries.
c. 46.	An Act for establishing a lottery, and for other purposes therein mentioned.
12 Geo. 3. c. 63.	An Act for redeeming one million five hundred thousand pounds of the capital stocks of three pounds per centum annuities, in the manner, and on the terms therein mentioned; and for establishing a lottery.
14 Geo. 3. c. 76.	An Act for redeeming the sum of one million of the capital stocks of three pounds per centum annuities, in the manner and on the terms therein mentioned; and for establishing a lottery.
15 Geo. 3. c. 41.	An Act for redeeming the sum of one million of the capital stocks of three pounds per centum annuities, in the manner and on the terms therein mentioned; and for establishing a lottery.
16 Geo. 3. c. 34.	An Act for granting to His Majesty several duties on coaches, and other carriages therein mentioned; and several rates and duties upon indentures, leases, bonds, and other deeds; and upon cards, dice, and newspapers; and for raising the sum of two millions by annuities, and a lottery, to be attended with annuities.
17 Geo. 3. c. 46.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
18 Geo. 3. c. 22.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
19 Geo. 3. c. 18.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
20 Geo. 3. c. 16.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
21 Geo. 3. c. 14. in part.	*An Act the title of which begins with the words,*—An Act for raising a certain sum by way of annuities, and a lottery,—*and ends with the words,*—fifth year of the reign of His present Majesty :— Except section sixty.
22 Geo. 3. c. 8.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
c. 34.	*An Act the title of which begins with the words,*—An Act for raising a certain sum of money by loans or exchequer bills,—*and ends with the words,*—and several subsequent Acts.
23 Geo. 3. c. 35.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
24 Geo. 3. Sess. 2. c. 10.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
c. 32.	An Act to postpone the payment of the sum of two millions, advanced by the governor and company of the Bank of England, towards the supply for the service of the year one thousand seven hundred and eighty-one.
c. 37.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty certain additional rates of postage,—*and ends with the words,*—free from postage.
c. 39.	An Act for granting annuities to satisfy certain navy, victualling, and transport bills, and ordnance debentures.
25 Geo. 3. c. 32.	An Act for granting annuities to satisfy certain navy, victualling, and transport bills, and ordnance debentures.
c. 71.	An Act for extending the time limited, by an Act of this session, for delivering in navy, victualling, and transport bills.
c. 83.	An Act for further postponing the payment of the sum of two millions, advanced by the governor and company of the Bank of England, towards the supply for the service of the year one thousand seven hundred and eighty-one.

26 Geo. 3. c. 34.	An Act for altering the days of payment of the long annuities, and annuities for thirty and twenty-nine years.
29 Geo. 3. c. 37.	An Act for raising a certain sum of money by way of annuities.
31 Geo. 3. c. 33.	An Act for the payment of the sum of five hundred thousand pounds by the governor and company of the Bank of England into the receipt of His Majesty's exchequer.
33 Geo. 3. c. 28.	An Act raising a certain sum of money, by way of annuities, to be charged on the Consolidated Fund; and for making perpetual certain duties of excise on British spirits, and certain duties on the amount of assessed taxes.
c. 32.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to raise the sum of one million five hundred thousand pounds,—*and ends with the words,*—Bank of England.
c. 47. in part.	*An Act the title of which begins with the words,*—An Act for placing the stock called East India annuities under the management,—*and ends with the words,*—debts of the said company :— Except section eight to end of Act.
34 Geo. 3. c. 1.	An Act for raising the sum of eleven millions by way of annuities.
c. 21.	An Act for granting annuities to satisfy certain navy and victualling bills; and for providing for the regular payment of all navy and victualling bills that shall be issued in future.
35 Geo. 3. c. 14.	An Act for raising the sum of eighteen millions by way of annuities.
c. 32.	An Act for granting annuities to satisfy certain navy and victualling bills.
c. 66.	*An Act the title of which begins with the words,*—An Act for making part of certain principal sums,—*and ends with the words,*—Bank of England.
c. 128.	An Act for allowing a further annuity to the subscribers to the sum of eighteen millions, authorized to be raised for the service of the year one thousand seven hundred and ninety-five.
36 Geo. 3. c. 12.	An Act for raising the sum of eighteen millions by way of annuities.
c. 74.	An Act for raising the sum of seven millions five hundred thousand pounds by way of annuities.
c. 122.	An Act for granting annuities to satisfy certain navy, victualling, and transport bills.
37 Geo. 3. c. 9.	An Act for granting annuities to satisfy certain navy, victualling, transport, and exchequer bills.
c. 10.	An Act for raising the sum of eighteen millions by way of annuities.
c. 20.	An Act for extending the time limited by an Act of this session, for delivering in navy, victualling, transport, and exchequer bills.
c. 46.	*An Act the title of which begins with the words,*—An Act for making certain annuities created by the Parliament of the Kingdom of Ireland, transferrable,—*and ends with the words,*—Bank of England.
c. 57.	An Act for raising the sum of fourteen millions five hundred thousand pounds by way of annuities.
c. 122.	*An Act the title of which begins with the words,*—An Act for the better preventing the forging or counterfeiting the names of witnesses to letters of attorney,—*and ends with the words,*—stocks or funds.
38 Geo. 3. c. 37.	An Act for raising the sum of seventeen millions by way of annuities.
39 Geo. 3. c. 7.	An Act for raising the sum of three millions by way of annuities.
c. 60.	An Act for raising the sum of fifteen millions five hundred thousand pounds by way of annuities.
39 & 40 Geo. 3. c. 22.	An Act for raising the sum of twenty millions five hundred thousand pounds by way of annuities.
41 Geo. 3. (U.K.) c. 3.	An Act for raising the sum of twenty-eight millions by way of annuity.

42 Geo. 3. c. 8.	An Act for granting annuities to satisfy certain exchequer bills.
c. 33.	An Act for raising the sum of twenty-five millions by way of annuities.
c. 58.	An Act for raising a certain sum of money by way of annuities on debentures, for the service of Ireland.
43 Geo. 3. c. 67.	An Act for raising the sum of twelve millions by way of annuities.
44 Geo. 3. c. 47.	An Act for raising the sum of fourteen millions five hundred thousand pounds by way of annuities.
c. 48.	An Act for raising a certain sum of money by way of annuities or debentures for the service of Ireland.
c. 99.	An Act for granting additional annuities to the proprietors of stock created by two Acts, passed in the thirty-seventh and forty-second years of His present Majesty.
45 Geo. 3. c. 8.	An Act for amending an Act, passed in the last session of Parliament, for granting additional annuities to the proprietors of stock created by two Acts, passed in the thirty-seventh and forty-second years of His present Majesty.
c. 12.	An Act for raising the sum of twenty-two millions five hundred thousand pounds by way of annuities.
c. 40.	An Act for raising the sum of one million five hundred thousand pounds by way of annuities for the service of Ireland.
c. 73.	An Act to enable the Commissioners of the Treasury to contract with certain proprietors of stock created by two Acts, passed in the thirty-seventh and forty-second years of His present Majesty, for granting other annuities in lieu thereof, or to pay the same off at the period herein mentioned.
46 Geo. 3. c. 33.	An Act for raising the sum of twenty millions by way of annuities.
c. 47.	An Act for raising a certain sum of money by way of annuities or debentures, for the service of Ireland.
c. 55.	An Act to provide for the payment, at the Bank of Ireland, of the interest on certain debentures now payable at the Exchequer of Ireland; and also for altering the days of payment of the interest or dividends on certain annuities in Ireland.
47 Geo. 3. Sess. 1. c. 28.	An Act for raising the sum of fourteen millions two hundred thousand pounds by way of annuities.
c. 46.	An Act for raising the sum of one million five hundred thousand pounds by way of annuities, for the service of Ireland.
48 Geo. 3. c. 3.	An Act for empowering the governor and company of the Bank of England to advance the sum of three million, towards the supply for the service of the year one thousand eight hundred and eight.
c. 38.	An Act for granting annuities to satisfy certain exchequer bills.
c. 76.	An Act for raising the sum of ten millions five hundred thousand pounds by way of annuities.
c. 83.	An Act for raising the sum of seven hundred and fifty thousand pounds by way of annuities for the service of Ireland.
49 Geo. 3. c. 21.	An Act for granting annuities to discharge certain exchequer bills.
c. 71.	An Act for raising the sum of fourteen millions six hundred thousand pounds by way of annuities.
c. 78.	An Act for raising the sum of one million two hundred and fifty thousand pounds by way of annuities and Treasury bills for the service of Ireland.
50 Geo. 3. c. 23.	An Act for granting annuities to discharge certain exchequer bills.
c. 36.	An Act for granting annuities to discharge an additional number of exchequer bills.

c. 45.	An Act for raising the sum of twelve millions by way of annuities.
c. 68.	An Act for raising the sum of one million four hundred thousand pounds by way of annuities for the service of Ireland.
51 Geo. 3. c. 16.	An Act for granting annuities to discharge certain exchequer bills.
c. 22.	An Act for raising the sum of two millions five hundred thousand pounds, by way of annuities and Treasury bills, for the service of Ireland.
c. 26.	An Act for raising the sum of four millions nine hundred eighty-one thousand three hundred pounds by way of annuities.
c. 35.	An Act to secure to the Bank of Ireland the repayment of all monies advanced by them for the purposes and in the manner therein mentioned.
c. 49.	An Act for raising the sum of twelve millions by way of annuities.
52 Geo. 3. c. 14	An Act for granting annuities to discharge certain exchequer bills.
c. 24.	An Act for raising the sum of six millions seven hundred and eighty-nine thousand six hundred and twenty-five pounds by way of annuities.
c. 70.	An Act for raising the sum of one million five hundred thousand pounds by way of annuities and Treasury bills for the service of Ireland.
c. 85.	An Act for raising the sum of twenty-two millions five hundred thousand pounds by way of annuities.
53 Geo. 3. c. 41.	An Act for granting annuities to satisfy certain exchequer bills; and for raising a sum of money by debentures for the service of Great Britain.
c. 53.	*An Act the title of which begins with the words,*—An Act for raising a further sum of money by debentures,—*and ends with the words,*—money by debentures.
c. 61.	An Act for raising the sum of two millions by way of annuities and Treasury bills for the service of Ireland.
c. 69.	An Act for raising the sum of twenty-seven millions by way of annuities.
c. 95.	An Act to provide for the charge of the addition to the public funded debt of Great Britain, in the year one thousand eight hundred and thirteen.
54 Geo. 3. c. 3.	An Act for raising the sum of twenty-two millions by way of annuities.
c. 8.	An Act to provide for the charge of the addition to the public funded debt of Great Britain for the service of the year one thousand eight hundred and fourteen.
c. 76.	An Act for raising the sum of twenty-four millions by way of annuities.
c. 85.	An Act for raising the sum of three millions by way of annuities for the service of Ireland.
c. 89.	An Act for the charge of the further addition to the public funded debt of Great Britain, for the service of the year one thousand eight hundred and fourteen.
c. 139.	An Act to rectify a mistake in an Act of this session of Parliament, for raising the sum of twenty-four millions by way of annuities.
c. 140.	An Act to amend several Acts of the Parliament of Ireland for granting certain annuities.
55 Geo. 3. c. 2.	An Act for directing the application of the residuary personal estate of Anna Maria Reynolds, spinster, bequeathed by her to the use of the sinking fund.
c. 16.	*An Act the title of which begins with the words,*—An Act to continue and amend an Act,—*and ends with the words,*—service of the year one thousand eight hundred and eight.
c. 58.	An Act for granting annuities to discharge certain exchequer bills.
c. 74.	An Act for granting annuities to discharge certain exchequer bills; and for raising a sum of money by annuities, for the service of Great Britain.
c. 124.	An Act for raising the sum of thirty-six millions by way of annuities.

56 Geo. 3. c. 7.	*An Act the title of which begins with the words,*—An Act to continue,—*and ends with the words,*—service of the year one thousand eight hundred and eight.
c. 60.	*An Act the title of which begins with the words,*—An Act to authorise the transferring stock,—*and ends with the words,*—reduction of the National Debt.
c. 89.	An Act to provide for the charge of certain additions to the public debt of Ireland, for the service of the year one thousand eight hundred and sixteen.
57 Geo. 3. c. 82.	An Act to continue an Act passed in Ireland in the thirteenth and fourteenth years of His present Majesty respecting certain annuities, so long as the said annuities shall be payable.
c. 83.	An Act to amend an Act, made in the last session of Parliament, for providing for the charge of certain additions to the public debt of Ireland.
58 Geo. 3. c. 23.	An Act for raising the sum of three millions, by the transfer of certain three pounds per centum annuities into other annuities, at the rate of three pounds ten shillings per centum; and for granting annuities to discharge certain exchequer bills.
59 Geo. 3. c. 42.	An Act for raising the sum of twelve millions by way of annuities.
1 Geo. 4. c. 13.	An Act for funding exchequer bills to a certain amount, and for raising a sum of money by way of annuities, for the service of the year one thousand eight hundred and twenty.
c. 17.	An Act for raising the sum of five millions by way of annuities.
c. 23.	An Act to provide for the charge of the addition to the public funded debt of Great Britain, for the service of the year one thousand eight hundred and twenty.
1 & 2 Geo. 4. c. 26.	An Act for making further provision for the gradual resumption of payments in cash by the Bank of England.
c. 27.	An Act for making further provision for the gradual resumption of payments in cash by the Bank of Ireland.
c. 73.	An Act to permit, for three years, the transfer from certain public stocks or funds in Ireland, to certain stocks or funds in Great Britain.
c. 108.	An Act to provide for the charge of the addition to the public funded debt of the United Kingdom of Great Britain and Ireland, for the service of the year one thousand eight hundred and twenty-one.
3 Geo. 4. c. 9.	An Act for transferring several annuities of five pounds per centum per annum into annuities of four pounds per centum per annum.
c. 17.	An Act for converting annuities and debentures of five pounds per centum per annum, payable at the Bank of Ireland, into new annuities of four pounds per centum per annum.
c. 26.	*An Act the title of which begins with the words,*—An Act to reduce the rate of interest,—*and ends with the words,*—forty-eighth year of His late Majesty.
c. 61.	*An Act the title of which begins with the words,*—An Act to regulate the performance of certain contracts,—*and ends with the words,*—annuities in lieu thereof.
c. 66.	*An Act the title of which begins with the words,*—An Act for authorizing the Commissioners for the Reduction of the National Debt,—*and ends with the words,*—annuities in lieu thereof.
c. 68.	An Act to provide for the charge of the addition to the public funded debt of Great Britain and Ireland, for defraying the expence of military and naval pensions and civil superannuations.
c. 89.	An Act to provide for the charge of the addition to the public funded debt of Great Britain, for the service of the year one thousand eight hundred and twenty-two.

c. 93.	An Act for carrying into execution an agreement between His Majesty and the East India Company.
4 Geo. 4. c. 22.	*An Act the title of which begins with the words,*—An Act to confirm an agreement,—*and ends with the words,*—Bank of England.
5 Geo. 4. c. 9.	An Act to carry into effect a convention relating to Austrian loans.
c. 11.	An Act for transferring several annuities of four pounds per centum per annum into annuities of three pounds ten shillings per centum per annum.
c. 24.	An Act for transferring several annuities of four pounds per centum per annum, transferable at the Bank of Ireland, into reduced annuities of three pounds ten shillings per centum per annum.
c. 45.	*An Act the title of which begins with the words,*—An Act to authorise the issuing of exchequer bills,—*and ends with the words,*—reduced annuities of three pounds ten shillings per centum.
c. 53.	An Act to permit the mutual transfer of capital in certain public stocks or funds transferable at the Banks of England and Ireland respectively.
7 Geo. 4. c. 39.	An Act for funding eight millions of exchequer bills.
10 Geo. 4. c. 31.	An Act for funding three millions of exchequer bills.
11 Geo. 4. & 1 Will. 4. c. 13.	An Act for transferring certain annuities of four pounds per centum per annum into annuities of three pounds and ten shillings or five pounds per centum per annum.
4 & 5 Will. 4. c. 31.	An Act for transferring certain annuities of four pounds per centum per annum into annuities of three pounds and ten shillings per centum per annum, and for providing for paying off the persons who may dissent to such transfer.
c. 80.	An Act to provide for the repayment to the governor and company of the Bank of England of one fourth part of the debt due from the public to the said company, in pursuance of an Act passed in the last session of Parliament.
7 Will. 4. & 1 Vict. c. 59.	An Act to postpone until the first day of January one thousand eight hundred and thirty-nine the repayment of certain sums advanced by the Bank of Ireland for the public service.
1 & 2 Vict. c. 81.	An Act further to postpone until the first day of January one thousand eight hundred and forty the repayment of certain sums advanced by the Bank of Ireland for the public service.
2 & 3 Vict. c. 97.	An Act for funding exchequer bills.
3 & 4 Vict. c. 75.	An Act to regulate the repayment of certain sums advanced by the governor and company of the Bank of Ireland for the public service.
5 Vict. c. 8.	An Act for funding exchequer bills, and for making provision for the service of the year one thousand eight hundred and forty-one.
7 & 8 Vict. c. 4.	An Act for transferring three pounds ten shillings per centum per annum annuities one thousand eight hundred and eighteen into annuities of three pounds five shillings per centum per annum and new three pounds per centum per annum annuities.
c. 5.	An Act for transferring certain annuities of three pounds ten shillings per centum per annum and government debentures into annuities of three pounds five shillings per centum per annum and new three pounds per centum per annum annuities.
c. 39.	An Act to exempt from the payment of property tax the dividends on certain annuities of three pounds ten shillings per centum per annum payable for the quarter of the year ending the tenth day of October one thousand eight hundred and forty-four.
c. 64.	An Act to provide for paying off such of the three pounds ten shillings per centum annuities and government debentures which are to be paid off under two Acts passed in the present session of Parliament.

c. 80.	*An Act the title of which begins with the words,*—An Act for completing the guarantee fund of the South Sea Company,—*and ends with the words,*—South Sea stock and annuities.
8 & 9 Vict. c. 62.	An Act to make further provisions as to stock and dividends unclaimed.
c. 97.	An Act to amend the law respecting testamentary dispositions of property in the public funds, and to authorize the payment of dividends on letters of attorney in certain cases.
9 & 10 Vict. c. 8.	An Act to make further provisions as to unclaimed stock and dividends of the South Sea Company.
10 & 11 Vict. c. 9.	An Act for raising the sum of eight millions by way of annuities.
11 & 12 Vict. c. 125.	An Act for raising the sum of two millions by exchequer bills, or by the creation of annuities, for the service of the year one thousand eight hundred and forty-eight.
16 & 17 Vict. c. 23.	*An Act the title of which begins with the words,*—An Act for redeeming or commuting the annuity,—*and ends with the words,*—and issuing exchequer bonds.
c. 132.	*An Act the title of which begins with the words,*—An Act to extend the provisions of an Act,—*and ends with the words,*—payments to be made under the said Act.
18 & 19 Vict. c. 18.	An Act for raising the sum of sixteen millions by way of annuities.
19 & 20 Vict. c. 5.	An Act for funding exchequer bills and raising money by way of annuities.
c. 6.	An Act for raising five millions by way of annuities.
c. 21.	An Act for raising the further sum of five millions by way of annuities.
21 & 22 Vict. c. 1.	An Act to indemnify the governor and company of the Bank of England in respect of certain issues of their notes, and to confirm such issues, and to authorize further issues for a time to be limited.
23 & 24 Vict. c. 71.	An Act to make provision as to stock and dividends unclaimed in Ireland.
24 & 25 Vict. c. 3. in part.	An Act to make further provision respecting certain payments to and from the Bank of England, and to increase the facilities for the transfer of stocks and annuities, and for other purposes - - - } in part; namely,— Sections one, seven, and eight.
c. 35.	*An Act the title of which begins with the words,*—An Act to increase the facilities for the transfer of stocks,—*and ends with the words,*—and for other purposes.
25 & 26 Vict. c. 21.	An Act to amend the law relating to the transfer of stocks and annuities transferable at the Bank of Ireland.
26 & 27 Vict. c. 28.	Stock Certificate Act, 1863.
c. 33. in part.	An Act for granting to Her Majesty certain duties of inland revenue; and to amend the laws relating to the inland revenue - - - - - } in part; namely,— Section twenty-four.
29 & 30 Vict. c. 11. in part.	The National Debt Reduction Act, 1866. In part; namely,— Section two.
32 & 33 Vict. c. 104.	The Dividends and Stock Act, 1869.
33 & 34 Vict. c. 47.	The Dividends and Stock Act, 1870:— Except as to any payment on 5th January 1871 in respect of dividend.

CHAP. 70.

An Act to facilitate in certain cases the obtaining of powers for the construction of Gas and Water Works and for the supply of Gas and Water.

[9th August 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited for all purposes as "The Gas and Water Works Facilities Act, 1870."

Interpretation of terms.

2. For the purposes of this Act the terms herein-after mentioned shall have the meanings herein-after assigned to them; that is to say,

The term "local authority" shall mean the bodies of persons named in the table in the Schedule (A.) to this Act annexed:

The term "road" shall mean any carriageway being a public highway, and any bridge forming part of the same:

The term "road authority" shall mean any local authority, board, town council, body corporate, commissioners, trustees, vestry, or other body or persons in whom a road as defined by this Act is vested, or who have the power to maintain or repair such road:

The term "district," in relation to a local authority, shall mean the area within the jurisdiction of such local authority:

The term "The Lands Clauses Acts" means, so far as the Provisional Order in which that term is used relates to England or Ireland, the Lands Clauses Consolidation Act, 1845; and, so far as the same relates to Scotland, the Lands Clauses Consolidation (Scotland) Act, 1845; together with, in each case, the Lands Clauses Consolidation Acts Amendment Act, 1860.

Description of Cases within this Act.

Act to apply to certain cases.

3. This Act shall apply where powers are required for all or any of the purposes following:—

(1.) To construct or to maintain and continue gasworks and works connected therewith, or to manufacture and supply gas in any district within which there is not an existing company, corporation, body of commissioners, or person empowered by Act of Parliament to construct such works or to manufacture and supply gas:

(2.) To construct or to maintain and continue waterworks and works connected therewith, or to supply water in any district within which there is not an existing company, corporation, body of commissioners, or person empowered by Act of Parliament to construct such works and to supply water:

(3.) To raise additional capital necessary for any of the purposes aforesaid:

(4.) To enable two or more companies or persons duly authorised to supply gas or water in any district or in adjoining districts to enter into agreements jointly to furnish such supply, or to amalgamate their undertakings:

(5.) To authorise two or more companies or persons supplying gas or water in any district or in adjoining districts to manufacture and supply gas or to supply water, and to enter into agreements jointly to furnish such supply and to amalgamate their undertakings:

and such purposes, or any one or more of them, as the case may be, shall, for the purposes of this Act, be deemed to be included in the term "gas undertaking" or "water undertaking," according as the same relate to the supply of gas or water; provided that any gas or water company empowered as aforesaid may apply for and avail themselves of the facilities of this Act within their own districts respectively.

Provisional Orders authorising Gas and Water Undertakings.

By whom provisional orders authorising undertakings may be obtained.

4. Provisional Orders authorising any gas undertaking or water undertaking under the authority of this Act may be obtained in any district by any company, companies, or person; and in the construction of this Act the term "the undertakers" shall be deemed to include any such company, companies, or person.

Where the undertakers require powers for the purpose of constructing gasworks or waterworks, or works connected therewith within any district, the consent of the local authority of such district shall be necessary before any Provisional Order can be obtained; and where in such district there is a road authority distinct from the local authority, the consent of such road authority shall also be necessary in any case where power is sought to break up any road of such road authority, before any Provisional Order can be obtained, unless the Board of Trade in any case in which the consent of the local authority or road authority is refused are of opinion, after inquiry, that, having regard to all the circumstances of the case, such consent ought to be dispensed with, and in such case they shall make a special report, stating the grounds upon which they have dispensed with such consent.

Notices and deposit of documents by promoters as in schedule.

5. The undertakers intending to make an application for a Provisional Order in pursuance of this Act shall proceed as follows:—

(1.) On or before the first of November next before their application they shall give notice in writing of their intention to make the same to every company, corporation, or person (if any) supplying gas (if the proposed application relates to gasworks) or water (if the proposed application relates to waterworks) within the district to which the proposed application refers:

(2.) In the months of October and November next before their application, or in one of those months, they shall publish notice of their intention to make such application by advertisement, according to the regulations contained in Part One of the Schedule (B.) to this Act; and where it is proposed to abstract water from any stream for any waterwork, they shall give notice in writing of their intention to make such application to the owners or reputed owners, lessees or reputed lessees, and occupiers of all mills and manufactories or other works using the waters of such stream for a distance of twenty miles below the point at which such water is intended to be abstracted, such distance to be measured along the course of such stream, unless such waters shall within a less distance than twenty miles fall into or unite with any navigable stream, and then only to the owners or reputed owners, lessees or reputed lessees, and occupiers of such mills and manufactories as aforesaid which shall be situate between the point at which such water is proposed to be abstracted and the point at which such water shall fall into or unite with such navigable stream; and such notice shall state the name (if any) by which the stream is known at the point at which such water shall be immediately abstracted, and also the parish in which such point is situate, and the time and place of deposit of the plans and sections required by this Act to be deposited:

(3.) On or before the thirtieth day of the same month of November they shall deposit the documents described in Part Two of the same schedule, according to the regulations therein contained:

(4.) On or before the twenty-third day of December in the same year they shall deposit the documents described in Part Three of the same schedule, according to the regulations therein contained.

All maps, plans, and documents required by this Act to be deposited for the purposes of any Provisional Order may be

deposited with the persons and in the manner directed by the Act of the session of Parliament held in the seventh year of the reign of His late Majesty King William the Fourth and the first year of Her present Majesty, intituled "An Act to "compel clerks of the peace for counties and other persons "to take the custody of such documents as shall be directed to "be deposited with them under the standing orders of either "House of Parliament;" and all the provisions of that Act shall apply accordingly.

Power for Board of Trade to determine on application and on objection.

6. The Board of Trade shall consider the application, and also any objection thereto that may be lodged with them on or before such day as they from time to time appoint, and shall determine whether or not the undertakers may proceed with the application.

Power for Board of Trade to make Provisional Order.

7. Where it appears to the Board of Trade expedient and proper that the application should be granted, with or without addition or modification, or subject or not to any restriction or condition, and it has been proved to their satisfaction that all the requisitions of section five of this Act have been in all respects complied with, the Board of Trade may settle and make a Provisional Order accordingly.

Every such Provisional Order if it relates to gasworks shall expressly restrict the undertakers from manufacturing gas or any residual products arising in the manufacture of gas on any land except such as is specified in that behalf in the order; and shall also expressly restrict them from storing gas on any land except such as is specified in that behalf in the order within three hundred yards from any dwelling house existing at the time when the undertakers propose to store gas on such land, without the consent in writing of the owner, lessee, and occupier of such dwelling-house.

Form and contents of Provisional Order.

Every such Provisional Order shall contain such other provisions as, according to the nature of the application and the facts and circumstances of each case, the Board of Trade thinks fit to submit to Parliament for confirmation in manner provided by this Act; but so that any such Provisional Order shall not contain any provision for empowering the undertakers or any other person to acquire lands otherwise than by agreement, or to acquire any lands, even by agreement, except to an extent therein limited.

Costs of Order.

The costs of and connected with the preparation and making of each Provisional Order shall be paid by the undertakers, and the Board of Trade may require the undertakers to give security for such costs before they proceed with the Provisional Order.

Publication of Provisional Order as in schedule.

8. When a Provisional Order has been made as aforesaid and delivered to the undertakers, the undertakers shall forthwith deposit and publish the same by advertisement according to the regulations contained in Part Four of the Schedule (B.) to this Act.

Confirmation of Provisional Order by Act of Parliament.

9. On proof to the satisfaction of the Board of Trade of the completion of such publication as aforesaid, the Board of Trade shall, as soon as they conveniently can after the expiration of seven days from the completion of such publication in relation to any Provisional Order which shall have been published as aforesaid, not later than the twenty-fifth of April in any year procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order, which shall be set out at length in the schedule to the Bill; but until confirmation by Act of Parliament a Provisional Order under this Act shall not have any operation.

If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein, the Bill, so far as it relates to the order petitioned against, may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

The Act of Parliament confirming any Provisional Order under this Act shall be deemed a Public General Act.

Incorporation of general Acts in Provisional Order.

10. The provisions of the Lands Clauses Acts shall be incorporated with every Provisional Order under this Act, save where the same are expressly varied or excepted by any such Provisional Order, and except as to the following provisions, namely,—

(1.) With respect to the purchase and taking of lands otherwise than by agreement:

(2.) With respect to the entry upon lands [illegible] of the undertaking.

Where a Provisional Order authorises a gas undertaking the provisions of "The Gasworks Clauses Act, 1847," shall be incorporated with such Provisional Order, save where the same are thereby expressly varied or excepted.

Where a Provisional Order authorises a water undertaking the provisions of "The Waterworks Clauses Act, 1847," and of "The Waterworks Clauses Act, 1863," shall be incorporated with such Provisional Order, save where the same are thereby expressly varied or excepted.

For the purposes of such incorporation a Provisional Order under this Act shall be deemed the special Act.

Cesser of powers at expiration of prescribed time.

11. If any undertakers empowered by any Provisional Order under this Act to make works do not, within three years from the date of such Provisional Order, or within any shorter period prescribed therein, complete the works; or,

If within one year from the date of the Provisional Order, or within such shorter time as is prescribed in the Provisional Order, the works are not substantially commenced; or,

If the works are commenced, but whilst the powers to carry them on exist are suspended without a reason sufficient in the opinion of the Board of Trade to warrant such suspension;

the powers given by the Provisional Order to the undertakers for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as is then completed, unless the time be prolonged by the special direction of the Board of Trade.

A statement in writing by the Board of Trade to the effect that such works have not been completed, or that the works have not been substantially commenced, or that they have been suspended without sufficient reason, shall be conclusive evidence for the purposes of this section of such non-completion, non-commencement, or suspension.

Gas rents and water rates in schedule.

12. The undertakers empowered by any Provisional Order under this Act may demand and take, in respect of gas or water supplied by them under the authority of such Provisional Order, rents and rates respectively not exceeding the sums specified in such Provisional Order, subject and according to the regulations therein specified.

Company not exempt from provisions of general Act.

13. Nothing in any Provisional Order, or Act confirming the same, shall exempt the undertaking, or the company, corporation, or person to whom it belongs, from the provisions of any general Act of Parliament relating to gasworks or waterworks, passed after the passing of this Act, or from any revision or alteration under the authority of Parliament of the maximum rents and rates allowed to be taken under the Provisional Order.

Queen in Council may substitute any department for Board of Trade for the purposes of this Act.

14. For the purpose of carrying into effect the provisions of this Act, it shall be lawful for Her Majesty at any time after the passing of this Act, by Order in Council, to substitute for the Board of Trade any other department of Her Majesty's Government, and from and after such time as may be specified for the purpose in any such order, or if no time be specified therein from and after the date of such order, all matters to be done in pursuance of this Act by or in connexion with the Board of Trade shall be done by or in connexion with such substituted department.

Act not to apply to Metropolis.

15. This Act shall not apply to any place within the Metropolis, as the same is defined in the Metropolis Management Act, 1855.

SCHEDULE A.

Districts of Local Authorities.	Description of Local Authority of District set opposite its Name.
England and Wales.	
Boroughs (1.) - - - -	The mayor, aldermen, and burgesses acting by the council.
Any place other than a borough, and under the jurisdiction of commissioners, trustees, or other persons intrusted by any Local Act with powers of improving, cleansing, or paving any town.	The commissioners, trustees, or other persons intrusted by the Local Act with powers of improving, cleansing, or paving the town.
Any place not included in the above descriptions, and within the jurisdiction of local board constituted in pursuance of the Public Health Act, 1848, and the Local Government Act, 1858, or one of such Acts.	The local board.
Any place or parish not within the above descriptions, and in which a rate is levied for the maintenance of the poor.	The vestry, select vestry, or other body of persons, acting by virtue of any Act of Parliament, prescription, custom, or otherwise, as or instead of a vestry or select vestry.
Scotland.	
Places within the jurisdiction of any town council, and not subject to the separate jurisdiction of police commissioners or trustees.	The town council.
In places within the jurisdiction of police commissioners or trustees exercising the functions of police commissioners under any General or Local Act.	The police commissioners or trustees.
In any parish or part thereof over which the jurisdiction of a town council or of police commissioners or trustees exercising the functions of police commissioners does not extend.	The parochial board.
Ireland.	
The city of Dublin - - - -	The Right Honourable the Lord Mayor, aldermen, and burgesses, acting by the town council.
Towns corporate, with exception of Dublin -	The mayor, aldermen, and burgesses, acting by the town council.
Towns having commissioners under an Act made in the 9th year of the reign of George the Fourth, intituled "An Act to "make provision for the Lighting, Cleans- "ing, and Watching of Cities and Towns "corporate and Market Towns in Ireland "in certain cases."	The commissioners.
Towns having municipal commissioners under 3 & 4 Vict. c. 108.	The municipal commissioners.
Towns having town commissioners under the Towns Improvement (Ireland) Act, 1854 (17 & 18 Vict. c. 103), or any Acts amending the same, or under any Local Act.	The town commissioners.
Townships having commissioners under Local Acts.	The township commissioners.

(1.) "Borough" shall mean any place for the time being subject to an Act passed in the session holden in the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the Regulation of Municipal Corporations in "England and Wales."

SCHEDULE B.

PROVISIONAL ORDERS.

PART I.

Advertisement in October or November of intended application.

(1.) Every advertisement is to contain the following particulars :

1. The objects of the intended application.
2. A general description of the nature of the proposed new works, if any.
3. The names of the townlands, parishes, townships, and extra-parochial places in which the proposed new works, if any, will be made.
4. The times and places at which the deposit under Part II. of this schedule will be made.
5. An office, either in London or at the place to which the intended application relates, at which printed copies of the draft Provisional Order, when deposited, and of the Provisional Order, when made, will be obtainable as hereinafter provided.

(2.) The whole notice is to be included in one advertisement, which is to be headed with a short title descriptive of the undertaking.

(3.) The advertisement is to be inserted once at least in each of two successive weeks in some one and the same newspaper published in the district affected by the proposed undertaking, where the proposed works (if any) will be made; or if there be no such newspaper, then in some one and the same newspaper published in the county in which every such district, or some part thereof, is situate; or if there be none, then in some one and the same newspaper published in some adjoining or neighbouring county.

(4.) The advertisement is also, in every case, to be inserted once at least in the London, Edinburgh, or Dublin Gazette, accordingly as the district is situate in England, Scotland, or Ireland.

PART II.

Deposit on or before 30th November.

(1.) The undertakers are to deposit—

1. A copy of the advertisement published by them.
2. If the application relates to gas, a map showing the land proposed to be used for the manufacture of gas, or of residual products arising in the manufacture of gas.
3. A proper plan and section of the proposed new works, if any, such plan and section to be prepared according to such regulations as may from time to time be made by the Board of Trade in that behalf.

(2.) The documents aforesaid are to be deposited for public inspection—

In England or Ireland, in the office of the clerk of the peace for every county, riding, or division; in Scotland, in the office of the principal sheriff clerk for every county, district, or division which will be affected by the proposed undertaking, or in which any proposed new work will be made.

(3.) The documents aforesaid are also to be deposited at the office of the Board of Trade.

PART III.

Deposit on or before 23rd December.

(1.) The undertakers are to deposit at the office of the Board of Trade—

1. A memorial signed by the undertakers, headed with a short title descriptive of the undertaking (corresponding with that at the head of the advertisement), addressed to the Board of Trade, and praying for a Provisional Order.
2. A printed draft of the Provisional Order as proposed by the undertakers, with any schedule referred to therein.
3. An estimate of the expense of the proposed new works, if any, signed by the persons making the same.

(2.) They are also to deposit a sufficient number of such printed copies at the office named in that behalf in the advertisement; such copies to be there furnished to all persons applying for them at the price of not more than one shilling each.

(3.) The memorial of the undertakers (to be written on foolscap paper, bookwise, with quarter margin) is to be in the following form, with such variations as circumstances require :—

[*Short title of undertaking.*]

To the Board of Trade,

The memorial of the undertakers of [*short title of undertaking*]:

Showeth as follows;

1. Your memorialists have published, in accordance with the requirements of the Gas and Water Works Facilities Act, 1870, the following advertisement:

[*Here advertisement to be set out verbatim.*]

2. Your memorialists have also deposited, in accordance with the requirements of the said Act, copies of the said advertisement and [*Here state deposit of the several matters required by Act*].

Your memoralists, therefore, pray that a Provisional Order may be made in the terms of the draft proposed by your memorialists, or in such other terms as may seem meet.

A.B.,
C.D.,
Undertakers.

PART IV.

Deposit and advertisement of Provisional Order when made.

(1.) The undertakers are to deposit printed copies of the Provisional Order, when settled and made, for public inspection in the offices of clerks of the peace and sheriff clerks, where the documents required to be deposited by them under Part II. of this schedule were deposited.

(2.) They are also to deposit a sufficient number of such printed copies at the office named in that behalf in the advertisement, such copies to be there furnished to all persons applying for them at the price of each.

(3.) They are also to publish the Provisional Order as an advertisement once in the local newspaper in which the original advertisement of the intended application was published.

CHAP. 71.

An Act for consolidating, with Amendments, certain Enactments relating to the National Debt.

[9th August 1870.]

WHEREAS with a view to the revision of the Statute Law, and particularly to the preparation of the revised edition of the Statutes now in progress, it is expedient to consolidate, with amendments, certain enactments relating to the National Debt:

Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.—PRELIMINARY.

Short title.

1. This Act may be cited as The National Debt Act, 1870.

Division of Act into parts.

2. This Act is divided into parts as follows:—

Part I.—Preliminary.
Part II.—Denominations and Incidents of Stock.
Part III.—Payment of Dividends.
Part IV.—Transfer.
Part V.—Stock Certificates.
Part VI.—Transfer between England and Ireland.
Part VII.—Unclaimed Dividends.
Part VIII.—Miscellaneous.

Interpretation of terms.

3. In this Act—

"The Bank of England" means the Governor and Company of the Bank of England, and includes their successors:

"The Bank of Ireland" means the Governor and Company of the Bank of Ireland, and includes their successors:

"Stock" means the several capital or joint stocks of perpetual annuities described in the first schedule to this Act, and includes any share or interest therein respectively:

"Stockholder" means a person holding stock, being entered as proprietor thereof in the books of the Bank of England or of Ireland:

"Warrant" includes draft, order, cheque, or other document used as a medium for payment of dividends:

"Accountant General" includes chief accountant:

"The Treasury" means the Commissioners of Her Majesty's Treasury, or two of them:

"The National Debt Commissioners" means the Commissioners for the Reduction of the National Debt:

"The consolidated fund" means the consolidated fund of the United Kingdom of Great Britain and Ireland:

"The Court of Chancery" means the Court of Chancery in England or the Court of Chancery in Ireland, as the case requires:

"Person" includes corporation:

"Representatives" means executors, administrators, or successors, and assigns.

Effect of schedules.

4. The schedules to this Act shall be deemed part of this Act.

PART II.—DENOMINATIONS AND INCIDENTS OF STOCK.

Continuance of existing permanent funded debt on existing terms.

5. The perpetual annuities described in the first schedule to this Act, to the respective amounts thereof subsisting at the passing of this Act, and the several capital sums in respect whereof those several annuities are payable, do and shall form part of the National Debt, due to the several persons who at the passing of this Act are entitled thereto, and their representatives.

All the annuities aforesaid shall, until redemption, continue to be payable in manner in this Act provided, at the respective rates in the same schedule mentioned, by equal half-yearly dividends on the respective days therein mentioned.

All the annuities aforesaid shall respectively continue redeemable by Parliament at the periods and in the manner in the same schedule mentioned, at the rate of one hundred pounds sterling for every one hundred pounds of the capital sums in respect whereof they are payable, and (subject to the provisions of Part V. of this Act) shall continue transferable in the books of the Bank of England or of Ireland by the several stockholders for the time being and their representatives.

Stock charged on consolidated fund.

6. The annuities and dividends aforesaid shall continue to be charged on and payable out of the consolidated fund.

Stock free from taxes.

7. The annuities and dividends aforesaid shall continue to be free from all taxes, charges, and impositions, in like manner as heretofore.

Interests in stock indefeasible.

8. The interests of stockholders and their representatives in the annuities aforesaid shall continue to be indefeasible.

Stock personal estate.

9. The annuities aforesaid shall continue to be personal estate, and not descendible to heirs.

Stock free from attachment.

10. The annuities aforesaid shall continue to be not liable to foreign attachment by the custom of London or otherwise.

Annuities to be several joint stocks.

11. The annuities of each denomination mentioned in the first schedule to this Act taken together shall continue to constitute one capital or joint stock; and all persons for the time being entitled thereto shall continue to have a proportional interest in every such capital or joint stock.

PART III.—PAYMENT OF DIVIDENDS.

Money for payment to be issuable.

12. Sufficient money to pay the dividends on all stock, with the charges attending the same, shall continue to be from time to time issuable for that purpose out of the consolidated fund.

Banks to have chief cashier

13. Until all stock is redeemed, the Banks of England and Ireland shall each continue to employ within their office a fit

person as their chief cashier, and another fit person as their accountant general. and accountant general.

14. The money from time to time and at any time issuable out of the consolidated fund and by this Act made applicable to the payment of the dividends on stock, shall, by order of the Treasury, without other warrant, from time to time be issued and paid to the respective chief cashiers of the Banks of England and Ireland by way of imprest and on account for the payment of those dividends. Issue by Treasury.

15. The chief cashier to whom money is from time to time so issued shall from time to time without delay apply the same in payment of the dividends on stock. Application of issues by cashier.

16. The chief cashier to whom money is so issued shall from time to time render his accounts thereof, and the same shall be audited, as the Treasury from time to time direct; but the Treasury may, if they think fit, dispense with such audit. Accounting by cashier, &c.

The respective accountants general of the Banks of England and Ireland shall from time to time inspect and examine all receipts and payments of the respective chief cashiers of those Banks, and the vouchers relating thereto, in order to prevent fraud, negligence, or delay.

17. The Bank of England or of Ireland shall not be required to allow any executors or administrators to receive any dividend on stock held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Bank for registration. Receipt of dividends by executors, &c.

18. The Banks of England and Ireland respectively before allowing the receipt of any dividend on any stock may, if the circumstances of the case appear to them to make it expedient, require evidence of the title of any person claiming a right to receive the dividend. Evidence of title to dividend.

That evidence shall be the declaration of competent persons under the Act described in the second schedule to this Act, Part I., or of such other nature as the Banks respectively require.

19. Where stock is standing in the name of an infant or person of unsound mind, jointly with any person not under legal disability, a letter of attorney for the receipt of the dividends on the stock shall be sufficient authority in that behalf, if given under the hand and seal of the person not under disability, attested by two or more credible witnesses. Dividends in case of infancy, &c., of a joint stockholder.

The Bank of England or of Ireland, before acting on the letter of attorney, may require proof to their satisfaction of the alleged infancy or unsoundness of mind, by the declaration of competent persons under the Act described in the second schedule to this Act, part I.

20. The Banks of England and Ireland respectively may from time to time, with the sanction of the Treasury, make arrangements for payment of dividends on stock by sending warrants through the post. Dividend warrants by post.

Arrangements so made before the passing of this Act shall continue unless and until altered by arrangements made after the passing thereof under this part thereof.

Every warrant so sent by post shall be deemed a cheque on the Bank of England or of Ireland within the Act mentioned in the second schedule to this Act, part II.

Effect of posting a warrant.

21. Where a stockholder desires to have his dividend warrants sent to him by post, he shall make a request for that purpose to the Bank of England or of Ireland in writing, signed by him, in a form approved by the Bank and the Treasury, and shall give to the Bank an address in the United Kingdom, or in the Channel Islands, or the Isle of Man, to which the letters containing the warrants are from time to time to be sent.

The posting by the Bank of a letter containing a dividend warrant addressed to a stockholder at his request under this or any former Act at the address given by him to the Bank, shall as respects the liability of the Bank be equivalent to the delivery of the warrant to the stockholder himself.

PART IV.—TRANSFER.

Mode of transfer.

22. In the offices of the respective accountants general of the Banks of England and Ireland books shall continue to be kept wherein all transfers of stock shall be entered.

Every such entry shall be conceived in proper words for the purpose of transfer, and shall be signed by the party making the transfer,—or, if he is absent, by his attorney thereunto lawfully authorised by writing under his hand and seal, attested by two or more credible witnesses.

The person to whom a transfer is so made may, if he thinks fit, underwrite his acceptance thereof.

Except as otherwise provided by Act of Parliament, no other mode of transferring stock shall be good in law.

Transfer by executors, &c.

23. The interest of a stockholder dying (before or after the passing of this Act) in stock shall be transferable by his executors or administrators, notwithstanding any specific bequest thereof.

The Bank of England or of Ireland shall not be required to allow any executors or administrators to transfer any stock until the probate of the will of or the letters of administration to the deceased has or have been left with the Bank for registration, and may require all the executors who have proved the will to join in the transfer.

Evidence of title on transfer.

24. The Banks of England and Ireland respectively before allowing any transfer of stock may, if the circumstances of the case appear to them to make it expedient, require evidence of the title of any person claiming a right to make the transfer.

That evidence shall be the declaration of competent persons under the Act described in the second schedule to this Act, part I., or of such other nature as the Banks respectively require.

25. The Banks of England and Ireland respectively may close their books for the transfer of stock on any day in the month next preceding that in which the dividends on that stock are payable; but so that the books be not at any time so closed for more than fifteen days. Closing of transfer books for dividend.

The persons who on the day of such closing are inscribed as stockholders shall as between them and their transferees of stock be entitled to the then current half year's dividend thereon.

PART V.—STOCK CERTIFICATES.

26. A stockholder may obtain a stock certificate, that is to say, a certificate of title to his stock or any part thereof, with coupons annexed, entitling the bearer of the coupons to the dividends on the stock. Certificate of title to stock.

27. Stock certificates shall be issued only in respect of consolidated three pounds per centum annuities, reduced three pounds per centum annuities, and new three pounds per centum annuities. Descriptions of stock for which certificates may be issued.

But the Treasury may by warrant declare that any other stock specified in the warrant shall be subject to this part of this Act, and thereupon stock certificates may be issued in respect of that stock also.

28. A stock certificate shall not be issued in respect of any sum of stock not being fifty pounds or a multiple of fifty pounds, or exceeding one thousand pounds. Limitation of amount of certificate.

29. A trustee of stock shall not apply for or hold a stock certificate unless authorised to do so by the terms of his trust; and any contravention of this section by a trustee shall be deemed a breach of trust. Restriction on trustees taking stock certificates.

But this section shall not impose on the Bank of England or of Ireland any obligation to inquire whether a person applying for a stock certificate is or is not a trustee, or subject either Bank to any liability in the event of their issuing a stock certificate to a trustee, or invalidate any stock certificate issued.

30. No notice of any trust in respect of any stock certificate or coupon shall be receivable by the Bank of England or of Ireland. No notice of trust.

31. Where a stock certificate is outstanding the stock represented thereby shall cease to be transferable in the books of the Bank of England or of Ireland. Stock in certificate outstanding not transferable.

32. A stock certificate, unless a name is inscribed therein, shall entitle the bearer to the stock therein described, and shall be transferable by delivery. Distinction between stock certificates to bearer and nominal certificates.

The bearer of a stock certificate may convert the same into a nominal certificate by inserting therein, in manner prescribed by any regulation made in pursuance of this part of this Act, the name, address, and quality of some person.

A stock certificate when it becomes nominal shall not be transferable, and the person named therein (in this part of

this Act called the nominee), or some person deriving title from him by devolution in law, as in this part of this Act mentioned, shall alone be recognised by the Bank of England or of Ireland as entitled to the stock described in the certificate.

On the death of the nominee, his personal representative, and on his bankruptcy his assignee, and on the marriage of the nominee, being a female, her husband, shall alone be recognised by the Bank of England or of Ireland as entitled to the stock described in the certificate, and shall be deemed the nominee in that certificate.

Nominee in a nominal certificate not entitled to have it renewed as nominal.

33. The nominee in a nominal stock certificate shall not be entitled to have the same renewed as nominal, but he shall, on delivery up of his certificate, and of all unpaid coupons belonging thereto, to the Bank of England or of Ireland by whom the certificate was issued, and on compliance with any regulation made in pursuance of this part of this Act, be entitled to receive in exchange from that Bank a stock certificate to bearer.

The nominee in a nominal stock certificate, and the bearer of a stock certificate to bearer, may, on the like delivery, and on compliance with any regulation made in pursuance of this part of this Act, require to be registered in the books of the Bank of England or of Ireland as a holder of the stock described in the certificate under which he derives title, and thereupon the stock shall be re-entered in the books kept by that Bank for the entry of transferable stock, and shall become transferable, and the dividends thereon shall be payable, as if no certificate had been issued in respect of such stock.

Rules as to coupons.

34. The coupons annexed to a stock certificate shall comprise the dividends to be payable in respect of the stock therein described, for not less than five years from the date of the certificate.

At the expiration of that period fresh coupons shall be issued for a further period of not less than five years, and so for successive periods of not less than five years each, during the continuance in force of the stock certificate.

But the Bank of England or of Ireland may, if they think fit, in lieu of issuing fresh coupons in respect of a stock certificate, give in exchange a fresh stock certificate with coupons annexed.

Payment of coupons.

35. Coupons payable by the Bank of England or of Ireland shall be payable at the chief establishment of the respective Bank at the expiration of three clear days from the day of presentation, and at any branch establishment of the same Bank, situate more than ten miles from the chief establishment, at the expiration of five clear days from the day of presentation.

The payment to the bearer of a coupon of the amount expressed therein shall be a full discharge to the Bank of England or of Ireland from all liability in respect of that coupon and the dividend represented thereby.

Income tax.

36. Income tax shall be deducted from coupons in the same manner and subject to the same regulations in and subject to which it may by law be deducted from dividends payable by the Bank of England or of Ireland in respect of stock of stockholders inscribed in the books of that Bank; save only that income tax shall be deducted from a coupon, although the dividend represented thereby does not amount to fifty shillings.

Fees in respect of dealing with stock under this part.

37. No fee shall be charged on the issue of a stock certificate to bearer, in exchange for a like certificate, but there shall be charged with respect to the several other proceedings in relation to stock authorised by this part of this Act the fees specified in the third schedule to this Act, or such less fees as may be determined by the Treasury.

All fees received in pursuance of this part of this Act shall be paid into the receipt of Her Majesty's Exchequer.

Loss or destruction of certificate or coupon.

38. If a stock certificate or coupon is lost or destroyed, the Bank of England or of Ireland (as the case requires) shall issue a new certificate or coupon, on receiving indemnity to their satisfaction against the claims of all persons deriving title under the certificate or coupon lost or destroyed.

General regulations with respect to stock certificates and coupons.

39. The Banks of England and Ireland respectively, with the sanction of the Treasury, may from time to time issue any forms that may be required for carrying into effect this part of this Act, and may from time to time make any regulations not inconsistent with this part of this Act relative to the following things:

1. The time for which coupons are to be given:
2. The conversion of a stock certificate to bearer into a nominal certificate:
3. The authority under which and the mode in which the Bank are to act in issuing stock certificates or exchanging nominal certificates for certificates to bearer, or registering in their books the holders of stock certificates, or taking any other proceedings in relation to stock authorised to be taken under this part of this Act:
4. The mode of proving the title of or identifying any person applying for a stock certificate or deriving any title under a stock certificate:
5. The mode of proof of the death or bankruptcy of the nominee or of the marriage of the nominee being a female:
6. The mode of proof of the loss or destruction of a stock certificate or coupon:
7. Any other matter necessary to carry this part of this Act into effect.

Regulations so made before the passing of this Act shall continue in force unless and until altered by regulations made after the passing of this Act under this part thereof.

Any regulation so made before or after the passing of this Act shall be deemed to be part of this Act in the same manner as if it were enacted in this part of this Act.

Remuneration to Banks.

40. There shall be paid to the Banks of England and Ireland respectively out of the consolidated fund, on account of the additional trouble, expense, and responsibility, if any, imposed on them by this part of this Act, in addition to the remuneration otherwise payable to them in respect of the management of the National Debt, such remuneration as the Treasury and they agree on.

Stock in certificate to have incidents of other stock, except as to transfer, &c.

41. Stock described in a stock certificate shall be charged on the same securities, and be subject to the same powers of redemption, and save as relates to the mode of transfer and payment of dividends thereon, shall be subject to the same incidents in all respects, including the remuneration payable to the Bank of England or of Ireland, as if it had continued registered in the books of that Bank as stock transferable therein.

Application of this part to stock certificates already issued, &c.

42. Where a stock certificate has been issued under any former Act, this part of this Act shall have effect in relation thereto, and to the coupons annexed thereto and to the stock and dividends represented thereby respectively, in like manner, as nearly as may be, as if the certificate were issued after the passing of this Act under this part thereof.

PART VI.—TRANSFER BETWEEN ENGLAND AND IRELAND.

Application for transfer between England and Ireland.

43. A stockholder holding stock transferable in the books of the Bank of England or of Ireland may make application in writing to that Bank for permission to transfer the same for the purpose of having the same amount of stock of the same denomination written into the books of the other Bank.

Thereupon, and on the applicant transferring the stock to which the application relates to the National Debt Commissioners, the Bank from whose books the transfer is to be made shall grant to the transferor a certificate of the facts of and connected with the transfer, directed to the other Bank.

Every application for permission to transfer, and every certificate of transfer, under this section, shall be according to a form established by the Bank of England in concurrence with the Bank of Ireland.

Restriction on transfer before closing of books.

44. It shall not be lawful for any person to make any transfer for the purposes of this part of this Act of any stock from England to Ireland, or from Ireland to England, during three clear days before the day or days on which the books of the Banks of England and Ireland respectively or of either of those Banks are from time to time closed for dividend under Part IV. of this Act.

Notices of transfers to and by National Debt Commissioners.

45. Where such a transfer is made from the books of the Bank of England, that Bank shall on the day of transfer give notice thereof to the National Debt Commissioners at their

office, who shall on receipt of the notice send it to the Bank of Ireland.

Where such a transfer is made from the books of the Bank of Ireland, that Bank shall on the day of transfer send notice thereof to the National Debt Commissioners at their office in London, who shall on receipt of the notice deliver it to the Bank of England.

Stock transferred to National Debt Commissioners to be cancelled.

46. Immediately on any such transfer being made to the National Debt Commissioners, the stock transferred shall be cancelled by them, and shall be for ever discharged from the account of the National Debt in Great Britain or in Ireland, as the case requires.

Transfer books to be kept by Banks.

47. In the offices of the respective accountants general of the Banks of England and Ireland books shall be kept, wherein the names of all persons making under this part of this Act transfers to the National Debt Commissioners shall be entered, which books all such persons and their representatives may at all reasonable times inspect without fee.

Bank to whom transfer made to write stock into their book

48. On a transfer being made under this part of this Act, then on the production of a certificate under this part of this Act of the Bank from whose books the transfer is made the other Bank shall write into their books, in the name of the person in the certificate named for that purpose, stock of the denomination and amount therein specified.

Every such sum of stock shall carry dividend from the day on which dividend became due next before the transfer under this part of this Act.

Loss or destruction of certificate.

49. In case of the loss or destruction of a certificate of the Bank of England or of Ireland under this part of this Act, that Bank, on proof of the same to their satisfaction, may grant a duplicate thereof, which shall stand in the place of the original, if the original has not been previously acted on; but on tender of such a duplicate the Bank to whom it is tendered may demand and take from the person tendering it sufficient security to Her Majesty, her heirs and successors, to indemnify that Bank against the production of or any claim under the original.

If at any time after a duplicate has been produced and acted on the original is surrendered to the Bank to whom the security was given, they shall detain and cancel the original, and send it cancelled to the other Bank, and deliver up the security to the persons by whom it was entered into, or such of them as require it.

Application of this part to terminable annuities.

50. In the enactments described in the second schedule to this Act, Part III., this part of this Act shall be deemed to be substituted for the Act of the fifth year of the reign of King George the Fourth in those enactments mentioned.

PART VII.—UNCLAIMED DIVIDENDS.

Transfer of unclaimed stock to National

51. All stock, no dividend whereon is claimed for ten years before the last day on which a dividend thereon becomes pay-

Debt Commissioners.

able (except where payment of dividend has been restrained by a Court of Equity) shall be transferred in the books of the Bank of England or of Ireland (as the case may be) to the National Debt Commissioners.

List of names from which stock transferred.

52. Immediately after every such transfer the name in which the stock stood immediately before the transfer, the residence and description of the parties, the amount transferred, and the date of transfer, shall be entered in a list to be kept for the purpose by the Bank in whose books the stock stands, which list shall be open for inspection at the usual hours of transfer.

A duplicate of each list shall be kept at the office of the National Debt Commissioners.

Mode of transfer.

53. Every such transfer shall be made and signed by the accountant general or deputy accountant general or secretary or deputy or assistant secretary of the Bank in whose books the stock stands at the transfer, and shall be as effectual to all intents as if signed by the person in whose name the stock then stands.

Subsequent dividends on stock transferred to be invested, &c.

54. Where stock is transferred under this part of this Act all dividends accruing thereon after the transfer shall be paid to the National Debt Commissioners, and shall be from time to time invested by them in the purchase of other like stock to be placed to their account of unclaimed dividends.

All such dividends and the stock arising from the investment thereof shall be held by those Commissioners for the public, subject to the claims of the parties entitled thereto.

Re-transfer and payment to person showing title.

55. The Governor or Deputy Governor of the Bank of England or of Ireland may direct the accountant general or deputy accountant general or secretary or deputy or assistant secretary of that Bank to re-transfer any stock transferred under this part of this Act to any person showing his right thereto to the satisfaction of the Governor or Deputy Governor, and to pay the dividends due thereon, as if the same had not been transferred or paid to the National Debt Commissioners.

But in case the Governor or Deputy Governor is not satisfied of the right of any person claiming to be entitled to any such stock or dividends, the claimant may, by petition in a summary way, state and verify his claim to the Court of Chancery.

The petition shall be served on Her Majesty's Attorney General and on the National Debt Commissioners, and the Court shall make such order thereon (either for re-transfer of the stock to which the petition relates and payment of the dividends accrued thereon, or otherwise), and touching the costs of the application, as to the Court seems just.

All costs and expenses incurred by or on behalf of the Attorney General, or the National Debt Commissioners, in resisting or appearing on any such petition, if not ordered by the court to be paid out of the stock and dividends thereby

claimed, shall be paid by the National Debt Commissioners, out of unclaimed dividends.

Where any re-transfer or payment is made to any such claimant, either with or without the authority of the Court, the Bank of England or of Ireland (as the case requires) shall give notice thereof to the National Debt Commissioners, within three days after making the same.

Three months notice before re-transfer or payment.

56. Stock exceeding the sum of twenty pounds shall not be re-transferred from the National Debt Commissioners under this part of this Act, nor shall dividends exceeding twenty pounds in the whole be paid to a claimant under this part of this Act, until three months after application made for the same, nor until public notice has been given thereof as in this part of this Act provided.

Advertisements before re-transfer or payment.

57. The Bank of England or of Ireland shall require the applicant to give such public notice as they think fit by advertisements, in the case of either Bank in one or more newspapers circulating in London and elsewhere, and in the case of the Bank of Ireland also in one or more newspapers circulating in Dublin and elsewhere in Ireland.

Every such notice shall state the name, residence, and description of the person in whose name the stock stood when transferred to the National Debt Commissioners, the amount thereof, the name of the claimant, and the time at which the re-transfer thereof and payment of dividends will be made if no other claimant sooner appears and makes out his claim.

Where any such re-transfer or payment is ordered by the Court of Chancery the notice shall also state the purport of the order.

Application to court to rescind order.

58. At any time before re-transfer of stock or payment of dividend as aforesaid to a claimant any person may apply to the Court of Chancery, by motion or petition, to rescind or vary any order made for re-transfer or payment thereof.

Bank not responsible to second claimant.

59. Where any stock or dividends having been re-transferred or paid as aforesaid to a claimant by either Bank is or are afterwards claimed by another person, the Bank and their officers shall not be responsible for the same to such other claimant, but he may have recourse against the person to whom the re-transfer or payment was made.

Order in favour of second claimant showing title.

60. Provided, that if in any case a new claimant establishes his title to any stock or dividends re-transferred or paid to a former claimant, and is unable to obtain transfer or payment thereof from the former claimant, the Court of Chancery shall, on application by petition by the new claimant, verified as the Court requires, order the National Debt Commissioners to transfer to him such sum in stock, and to pay to him such sum in money for dividend, as the Court thinks just.

Such transfer shall be made from stock transferred to the National Debt Commissioners under this part of this Act; and such money for dividend shall be paid from dividends received by those Commissioners on stock so transferred, or the accu-

mulations thereof, or from the sale of stock purchased with such dividends or accumulations, or from other money at their disposal.

Payment of unclaimed dividends to National Debt Commissioners.

61. Where any dividend accrued due on any sum of stock is not claimed for ten years before the last day on which a dividend thereon becomes payable, the dividend so unclaimed, and all dividends subsequently accrued due in respect of the same sum of stock and unclaimed, shall be paid to the National Debt Commissioners.

All such dividends shall be held and dealt with in like manner, as nearly as may be, as stock transferred to those Commissioners under this part of this Act, or the dividends accruing thereon after the transfer (as the case requires); and this part of this Act shall accordingly have effect in relation thereto and to the investment and payment of, and claims to the same, as if the foregoing provisions of this part of this Act were repeated and in terms made applicable thereto respectively.

Unclaimed stock in stock certificates and unclaimed coupons.

62. All stock described in a stock certificate in respect of which no coupon is presented for payment for ten years shall be dealt with in like manner, as nearly as may be, as stock no dividend whereon is claimed for ten years.

Sums due and unclaimed on coupons shall be dealt with in like manner, as nearly as may be, as unclaimed dividends due in respect of stock.

Investigation of circumstances of unclaimed dividends.

63. The Treasury may from time to time empower the Bank of England or of Ireland to investigate the circumstances of any stock or dividends remaining unclaimed with a view to ascertain the owners thereof, and allow to them such compensation as to the Treasury seems just for their trouble and expenses in that behalf.

Allowance of expenses to Bank.

64. The Treasury may from time to time allow to the Bank of England or of Ireland a reasonable compensation for all expenses incurred by them in and about notices and advertisements directed by this part of this Act, and other services required or authorised by this part of this Act.

Payment of compensation allowed.

65. Compensation allowed by the Treasury under this part of this Act may be deducted rateably from the stock and dividends from time to time re-transferred or paid, with reference to which the trouble, expenses, and services have been incurred and performed by the Bank, or the same may be paid by the National Debt Commissioners out of unclaimed stock or dividends transferred to or received by them.

Indemnity to Banks.

66. The Banks of England and Ireland and their respective governors, deputy governors, and officers are hereby indemnified in respect of every transfer or re-transfer of stock or payment of dividends under this part of this Act, and shall not be in any manner responsible to any person having or claiming any interest therein.

Application of this part to

67. Where under any former Act relating to unclaimed stock or unclaimed dividends any stocks, funds, or annuities,

or any principal or other sums have, in consequence of the same or of the dividends thereon being unclaimed, been transferred to the National Debt Commissioners, or any unclaimed dividends have been paid to those Commissioners, this part of this Act shall have effect in relation to the stocks, funds, annuities, principal or other sums, and dividends so transferred and paid, and to any stock or security representing the same or any of them, and to all accumulations and investments of those dividends, in like manner, as nearly as may be, as if such transfer, payment, and investment were made after the passing of this Act under this part thereof. Stock already transferred, &c.

68. This part of this Act shall apply to unclaimed annuities for terms of years forming part of the National Debt. Application of this part to terminable annuities.

In the application thereto of this part of this Act, a terminable annuity exceeding one pound per annum shall be deemed to be substituted for stock exceeding twenty pounds.

In the enactment described in the second schedule to this Act, Part IV., this part of this Act shall be deemed to be substituted for the Act of the fifty-sixth year of the reign of King George the Third in that enactment mentioned.

PART VIII.—MISCELLANEOUS.

69. In respect of each sum of one hundred and ten pounds of the two pounds ten shillings per centum annuities there shall continue to be paid to the National Debt Commissioners on the fifth day of July in each year until and inclusive of the fifth day of July one thousand eight hundred and ninety-four the sum of five shillings, and so in proportion for any less sum of such annuities. Yearly payment to National Debt Commissioners in respect of 2*l.* 10*s.* per cents.

That yearly sum shall continue to be charged on the Consolidated Fund and to be issued and paid thereout either to the Bank of England or to the Bank of Ireland to the account of the National Debt Commissioners, as those Commissioners from time to time direct, and to be applied towards the reduction of the National Debt as other money paid to them for that purpose is by law applicable.

A separate account shall continue to be kept by the National Debt Commissioners of the application of that yearly sum.

For the purposes of the Acts for regulating the reduction of the National Debt, that yearly sum shall be deemed part of the expenditure of the United Kingdom.

70. No fee, reward, or gratuity shall be demanded or taken for paying any dividend or for any transfer of stock or for receiving any certificate or duplicate certificate under Part VI. of this Act, on pain that any person offending by demanding or taking any such fee, reward, or gratuity shall for every such offence forfeit the sum of twenty pounds to the party aggrieved, with full costs of suit, to be recovered in any of Her Majesty's Superior Courts of Law in England or Ireland. No fee for paying dividends, &c.; penalty.

Stamp duty.

71. No stamp duty shall be payable in respect of any dividend warrant, transfer of stock, stock certificate, or coupon.

Continuance of Bank of England.

72. The Bank of England shall continue a corporation for the purposes of this Act until all stock is duly redeemed by Parliament.

Extension of provisions as to executors, &c., to all stocks, &c.

73. Such of the provisions of Parts III. and IV. of this Act as relate to receipt of dividends and transfer of stock by executors or administrators, and to evidence of title to dividends or stock, and to receipt of dividends on stock standing in the names of infants or persons of unsound mind, and to payment of dividends on stock by sending warrants through the post, shall apply to all stock of any company or corporation, funds or annuities, transferable in the books of the Bank of England or of Ireland.

Protection to Banks.

74. The Bank of England or of Ireland, or any member of the corporation thereof respectively, shall not incur any disability for or by reason of those Banks respectively doing anything in pursuance of this Act.

SCHEDULES.

THE FIRST SCHEDULE.

Stocks; Dividend Days; Redemption.

Denominations of the several Stocks of Perpetual Annuities.	Dates of Half-yearly Dividends.	Periods of Redemption.
Consolidated Three pounds per centum annuities.	5 January, 5 July	At any time after passing of this Act, subject and according to regulation subjoined.
Reduced Three pounds per centum annuities.	5 April, 5 October	At any time after passing of this Act, subject and according to regulation subjoined.
New Five pounds per centum annuities.	5 January, 5 July	At any time after 5 January 1873.
New Three pounds per centum annuities.	5 April, 5 October	At any time after 10 October 1874.
New Three pounds ten shillings per centum annuities.	5 January, 5 July	At any time after 5 January 1894.
Two pounds ten shillings per centum annuities.	5 January, 5 July	At any time after 5 January 1894.

REGULATION.

The Consolidated Three pounds per centum annuities and the Reduced Three pounds per centum annuities respectively are redeemable as follows, namely:—At any time on one year's notice printed in the London Gazette, and affixed on the Royal Exchange in London, and on repayment by Parliament according to such notice of the several sums, or any part thereof, for which the said several annuities, or either of them, are or is payable, by

payments not less than 500,000*l.* at one time, in manner directed by any Act to be passed, and also on full payment of all arrears of the same annuities. Then, and not till then, so much of the annuities as are attending on the principal sums so paid off shall cease, and be understood to be redeemed. Any vote or resolution of the House of Commons, signified by the Speaker in writing, inserted in the London Gazette, and affixed on the Royal Exchange in London, shall be deemed sufficient notice.

THE SECOND SCHEDULE.

Enactments referred to.

PART I.

5 & 6 Will. 4. c. 62.—An Act to repeal an Act of the present session of Parliament, intituled 'An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the State, and to substitute declarations in lieu thereof, and for the more entire suppression of voluntary and extra-judicial oaths and affidavits'; and to make other provisions for the abolition of unnecessary oaths [which Act may be cited in any declaration made thereunder for the purposes of this Act as The Statutory Declarations Act, 1835].

PART II.

21 & 22 Vict. c. 79.—An Act to amend the law relating to cheques or drafts on bankers.

PART III.

Section four of 3 & 4 Will. 4. c. 24.—An Act to amend an Act of the tenth year of His late Majesty for regulating the reduction of the National Debt.

Section twenty-one of 18 & 19 Vict. c. 18.—An Act for raising the sum of sixteen millions by way of annuities.

PART IV.

Section eleven of 2 & 3 Will. 4. c. 59.—An Act to transfer the management of certain annuities on lives from the receipt of His Majesty's Exchequer to the management of the Commissioners for the Reduction of the National Debt, and to amend an Act for enabling the said Commissioners to grant life annuities and annuities for terms of years.

THE THIRD SCHEDULE.

Fees as to Stock Certificates.

On the issue of a stock certificate, a fee not exceeding five shillings on every hundred pounds of stock included in the certificate, and a proportional sum for any less sum.

If the applicant is the registered holder of an amount of stock divisible into several sums of fifty pounds or multiples of fifty pounds, he may require such sums of fifty pounds or such multiples of fifty pounds to be distributed amongst different certificates, as he thinks fit; subject to this proviso, that if the number of certificates required by him exceed the proportion of five to a thousand pounds he shall, in respect to each certificate constituting that excess, pay a sum of sixpence in addition to the per-centage fee.

On the change of a nominal certificate for a certificate to bearer, or on the registration in the books of the Bank of the stock included in a nominal certificate, there shall be charged a fee not exceeding one half the fee that would be chargeable on the issue of a new certificate to bearer.

On the registration in the books of the Bank of the stock included in a stock certificate to bearer there shall be charged a fee not exceeding five shillings.

CHAP. 72.

An Act for granting certificates to Pedlars.

[9th August 1870.]

WHEREAS it is expedient to amend the law relating to pedlars:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as The Pedlars Act, 1870.

Commencement of Act.

2. This Act shall not come into operation until the first day of January one thousand eight hundred and seventy-one, which date is in this Act referred to as the commencement of this Act.

Interpretation of certain terms in the Act.

3. In this Act, if not inconsistent with the context, the following terms have the meanings herein-after respectively assigned to them; that is to say,

The term "pedlar" means any hawker, pedlar, petty chapman, tinker, caster of metals, mender of chairs, or other person who, without any horse or other beast bearing or drawing burden, travels and trades on foot and goes from town to town or to other men's houses, carrying to sell or exposing for sale any goods, wares, or merchandise, or procuring orders for goods, wares, or merchandise immediately to be delivered, or selling or offering for sale his skill in handicraft:

The term "police district" means—

In England,—

(1.) The city of London and the liberties thereof:

(2.) The metropolitan police district:

(3.) Any county, riding, part, division, or liberty of a county, borough, burgh, city, town, place, or union, or combination of places maintaining a separate police force; and all the police under one chief constable shall be deemed to constitute one force for the purposes of this section:

In Scotland,—

Any area maintaining a separate police force, and all the police under one chief constable shall be deemed to constitute one force for the purposes of this section:

In Ireland,—

(1.) The police district of Dublin metropolis:

(2.) Any district, whether city, town, or country, over which is appointed a sub-inspector of the Royal Irish Constabulary.

The term "chief officer of police" means—

In England,—

(1.) In the city of London and the liberties thereof the commissioner of city police:

(2.) In the metropolitan police district, the commissioner of metropolitan police:

(3.) Elsewhere the chief constable, or head constable, or other officer, by whatever name called, having the chief command of the police in the police district in reference to which such expression occurs:

In Scotland,—

The chief constable, superintendent of police, or other officer, by whatever name called, having the chief command of the police in the police district in reference to which such expression occurs:

In Ireland,—

(1.) In the police district of Dublin metropolis, either of the commissioners of police for the said district:

(2.) In any other police district the sub-inspector of the Royal Irish Constabulary:

Any act or thing by this Act authorised to be done by the chief officer of police may be done by any person authorised by him in that behalf.

The term "court" includes the justice or justices, magistrate or magistrates, to whom jurisdiction is given by this Act.

Certificates to be obtained by Pedlars.

No one to act as a pedlar without certificate.

4. After the commencement of this Act no person shall act as a pedlar without such certificate as in this Act mentioned, or in any district where he is not authorised by his certificate so to act.

Any person who—

1. Acts as a pedlar without having obtained a certificate under this Act authorising him so to act;
2. Acts as a pedlar in any district in which he is not authorised so to act by a certificate granted under this Act,

shall be liable for a first offence to a penalty not exceeding ten shillings, and for any subsequent offence to a penalty not exceeding one pound.

Grant of certificate.

5. The following regulations shall be made with respect to the grant of pedlars certificates:

1. Subject as in this Act mentioned a pedlar's certificate shall be granted to any person by the chief officer of police of the police district in which the person applying for a certificate resides, on such officer being satisfied that the applicant is a person of good character:
2. An application for a pedlar's certificate shall be in the form specified in the schedule to this Act, or as near thereto as circumstances admit:
3. There shall be paid for a pedlar's certificate previously to the delivery thereof to the applicant a sum not exceeding sixpence:
4. A pedlar's certificate shall be in the form specified in the schedule thereto, or as near thereto as circumstances admit:
5. A pedlar's certificate shall remain in force for one year from the date of the issue thereof and no longer:
6. On the delivery up of the old certificate or on sufficient evidence being produced to the satisfaction of the chief officer of police that the old certificate has been lost, that officer may either at the expiration of the current year, or during the currency of any year, grant a new certificate in the same manner as upon a first application for a pedlar's certificate.

Effect of certificate.

6. A pedlar's certificate granted under this Act shall, during the time for which it continues in force, authorise the person to whom it is granted to act as a pedlar, within the police district in which such pedlar resides and the certificate is taken out.

Certificate to be extended by indorsement to other districts than that for which it was granted.

7. Any pedlar who, having obtained a pedlar's certificate, desires to act as a pedlar in any other police district than that in which he resides, or who goes to reside in any other district, may, while his certificate remains in force, apply to the chief officer of police of such other district to indorse his certificate, and such officer shall, unless he is satisfied that the applicant is not a person of good character, on payment by the pedlar of a fee not exceeding sixpence, indorse such certificate, and such indorsed certificate shall, while it continues in force, authorise the pedlar to act as a pedlar in such other district, and have in all respects the same effect as a certificate granted under this Act by an officer of such district to a person resident therein would have.

The indorsement shall be in the form specified in the schedule to this Act, or as near thereto as circumstances admit.

Register of certificates to

8. There shall be kept in each police district a register of the certificates and of the indorsement of certificates granted

and made in such district under this Act, in such form and with such particulars as may from time to time be directed by one of Her Majesty's Principal Secretaries of State. be kept in each district.

The entries in such register, and any copy of any of such entries, if such copy shall have been certified by the chief officer of police, shall be evidence in any court of law of the facts stated therein.

9. Forms of application for certificates shall be kept at every police office in every police district, and shall be given gratis to any person applying for the same; and all applications for certificates shall be delivered at the police office of the division or subdivision of the police district within which the applicant resides, and certificates, when duly signed by the chief officer of police, shall be issued at such office. Forms of application to be kept at chief police office.

10. A person to whom a pedlar's certificate is granted under this Act shall not lend, transfer, or assign the same to any other person, and any person who lends, transfers, or assigns such certificate to any other person shall for each offence be liable to a penalty not exceeding twenty shillings. Certificate not to be assigned.

11. No person shall borrow or make use of a pedlar's certificate granted to any other person, and any person who borrows or makes use of such certificate shall for each offence be liable to a penalty not exceeding twenty shillings. Certificate not to be borrowed.

12. Any person who commits any of the following offences, (that is to say,) Penalty for forging certificate.

1. Makes false representations with a view to obtain a pedlar's certificate under this Act;
2. Forges or counterfeits a pedlar's certificate granted under this Act;
3. Forges or counterfeits an indorsement made under this Act on such a certificate;
4. Aids in making or procures to be made such forged or counterfeited certificate or indorsement;
5. Travels with, produces, or shows any such forged or counterfeited certificate or indorsement,

shall for the first offence be liable to a penalty not exceeding two pounds, and for any subsequent offence, either instead of or in addition to such penalty, to be imprisoned for any term not exceeding six months with or without hard labour.

13. No certificate under this Act shall be granted to any person convicted of felony or of any misdemeanor involving dishonesty. Certificate not to be granted to certain persons.

14. If any pedlar is convicted of any offence under this Act, the court before which he is convicted shall indorse or cause to be indorsed on his certificate a record of such conviction. Convictions to be indorsed on certificate.

The indorsements made under this Act on a pedlar's certificate shall be evidence in any court of law of the facts stated therein.

15. If the chief officer of police refuses to grant or indorse a certificate, he shall, on demand, forthwith give to the appli- Appeal against refusal of certificate by

chief officer of police.

cant in writing his reasons for such refusal, and the applicant may appeal to a court having jurisdiction in the place in which the applicant resides, in accordance with the following provisions:—

1. The applicant shall, within one week after the refusal, give to the chief officer of police notice in writing of the appeal, and at the same time shall deposit with him five shillings, for which such officer shall give a written receipt:
2. The appeal shall be heard at the sitting of the court which happens next after the expiration of the said week, but the court may, on the application of either party, adjourn the case:
3. The court shall hear and determine the matter of the appeal, and make such order thereon, with or without costs to either party, as to the court seems just:
4. If the appeal is dismissed the court may order the costs of the appeal, or any part thereof, to be paid out of the said deposit, but, subject to any such order, the deposit shall be repaid to the appellant:
5. The enactments relating to proceedings before the court shall apply to proceedings under this section, and any order made by the court in pursuance of this section may be enforced in the same manner as an order made by the court in the exercise of their ordinary jurisdiction, and any certificate, or indorsement of a certificate, granted or made in pursuance of an order of the court, shall have the same effect as if it had been originally granted or made by the chief officer of police.

For the purposes of this section the "court" shall be any court before which a penalty under this Act can be recovered.

Court empowered to deprive pedlar of certificate.

16. Any court before which any pedlar is convicted of any offence, whether under this or any other Act, may, if he or they think fit, deprive such pedlar of his certificate.

Duties of Pedlars.

Pedlar to show certificate to certain persons on demand.

17. Any pedlar shall at all times on demand produce and show his certificate to any of the following persons; (that is to say,)

1. Any justice of the peace; or
2. Any constable or officer of police; or
3. Any person to whom such pedlar offers his goods for sale; or
4. Any person in whose private grounds or premises such pedlar is found:

And any pedlar who refuses on demand to show his certificate to, and allow it to be read and a copy thereof to be taken by, any of the persons hereby authorised to demand it, shall for each offence be liable to a penalty not exceeding five shillings;

and it shall be lawful for any person so authorised, and also for any other person acting by his order or at his request and in his aid, to apprehend such offender and forthwith to convey or cause him to be conveyed before a justice of the peace; provided that no pedlar so apprehended shall on any pretence whatever be detained for a longer period than twelve hours from the time of his apprehension until he is brought before a justice of the peace.

Police empowered to inspect pedlar's pack.

18. It shall be lawful for any constable or officer of police at any time to open and inspect any pack, box, bag, trunk, or case in which a pedlar carries his goods, wares, and merchandise, and any pedlar who refuses to allow such constable or officer to open or inspect such pack, box, bag, trunk, or case, or prevents or attempts to prevent him from opening or inspecting the same, shall be liable for each offence to a penalty not exceeding twenty shillings.

Temporary Provisions.

Licenses granted before Act to remain in force.

19. Any license to act as a hawker granted to any person before the commencement of this Act shall, notwithstanding the passing of this Act, continue in force till the date at which such license expires, and no person acting or trading as a hawker under such license shall during the time for which such license continues in force be required to obtain a pedlar's certificate under this Act, or be liable to any penalty for trading or acting as a pedlar without having obtained a certificate under this Act.

Summary Proceedings for Offences.

Summary proceedings for offences.

20. Any penalty under this Act may be recovered as follows:

In England, before two justices of the peace in manner directed by the Act of the eleventh and twelfth years of the reign of Her present Majesty, intituled "An Act "to facilitate the performance of the duties of justices of "the peace out of sessions within England and Wales "with respect to summary convictions and orders," and any Act amending the same:

In Scotland, in manner directed by the "Summary Procedure Act, 1864":

In Dublin, in manner directed by the Acts regulating the powers of justices of the peace, or of the police of Dublin metropolis, and in all other parts of Ireland by the "Petty Sessions, Ireland, Act, 1851."

Application of fees.

21. All fees received under this Act shall be applied in manner in which penalties recoverable under this Act are applicable.

Saving.

Certificate not required by commercial travellers, sellers of fish, or sellers in fairs.

22. Nothing in this Act shall render it necessary for a certificate to be obtained by the following persons; (that is to say,)

1. Commercial travellers or other persons selling or seeking orders for goods, wares, or merchandise to or from persons who are dealers therein and who buy to sell again:
2. Sellers of vegetables, fish, fruit, or victuals:
3. Persons selling or exposing to sale goods, wares, or merchandise in any public mart, market, or fair legally established.

Reservation of powers of local authority.

23. Nothing in this Act shall take away or diminish any of the powers vested in any local authority by any general or local Act in force in the district of such local authority.

SCHEDULE.

FORM A.

FORM OF APPLICATION FOR PEDLAR'S CERTIFICATE.

1. I, *A.B.* [*Christian and surname of applicant in full*] reside at in the parish of in the county of .

2. I am by trade and occupation a [*here state trade and occupation of applicant, e.g., that he is a hawker, pedlar, &c.*]

3. I apply for a certificate under The Pedlars Act, 1870, authorising me to act as a pedlar within the police district.

Dated the day of .

(Signed) *A.B.* [*Here insert Christian and surname of applicant.*]

FORM B.

FORM OF PEDLAR'S CERTIFICATE.

In pursuance of The Pedlars Act, 1870, I certify that *A.B.* [*name of applicant*] of in the county of is hereby authorised to act as a pedlar within the police district for a year from the date of this certificate.

Certified this day of A.D.

(Signed) [*Here insert name and description of the officer signing the certificate.*]

This certificate will expire on the day of A.D.

FORM C.

FORM OF INDORSEMENT OF PEDLAR'S CERTIFICATE.

The within-named [*here insert Christian and surname of pedlar*] is hereby authorised to act as pedlar up to and until the day of , the day on which his certificate expires within the police district of .

(Signed) [*Here insert name and description of the chief officer of police by whom the certificate is indorsed.*]

CHAP. 73.

An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads. [9th August 1870.]

WHEREAS it is expedient to continue for limited times some of the Acts herein-after specified, and to repeal others:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Repeal of certain Acts. Schedule 1.

1. The Acts specified in the first schedule annexed hereto shall be repealed on and after the first day of November one thousand eight hundred and seventy.

Expiration of certain Acts. Schedule 2.

2. The Acts specified in the second schedule annexed hereto shall expire at the time in that behalf mentioned in "The Annual Turnpike Acts Continuance Act, 1869."

Repeal of certain Acts. Schedule 3.

3. The Acts specified in the third schedule annexed hereto shall be repealed on and after the date in that behalf mentioned in "The Annual Turnpike Acts Continuance Act, 1869."

Expiration of certain Acts. Schedule 4.

4. The Acts specified in the fourth schedule annexed hereto shall continue in force until the thirty-first day of December one thousand eight hundred and seventy, and no longer.

Repeal of certain Acts. Schedule 5.

5. The Acts specified in the fifth schedule annexed hereto shall be repealed on and after the thirty-first day of May one thousand eight hundred and seventy-one.

Continuance of certain Acts. Schedule 6.

6. The Acts specified in the sixth schedule annexed hereto shall continue in force until the first day of November one thousand eight hundred and seventy-one, and no longer, unless Parliament in the meantime otherwise provides.

Repeal of certain Turnpike Acts. Schedule 7.

7. The Acts specified in the seventh schedule annexed hereto shall be repealed on and after the first day of November one thousand eight hundred and seventy-one, unless Parliament in the meantime otherwise provides.

Continuance of certain Acts. Schedules 8. and 9.

8. The Acts specified in the eighth and ninth schedules annexed hereto shall continue in force until the first day of November one thousand eight hundred and seventy-one, and in the case of each trust for such further time, if any, as may be required to complete the term of one year, not later than the first day of June one thousand eight hundred and seventy-two, from the time for which the tolls, or any of them, shall have been let at the last meeting of such trust held for that purpose, unless Parliament in the meantime otherwise provides.

Continuance of all other Turnpike Acts, except

9. All other Acts now in force for regulating, making, amending, or repairing any turnpike road in Great Britain which will expire at or before the end of the next session of Parliament shall continue in force until the first day of November one thousand eight hundred and seventy-one, and to the end of the then next session of Parliament, unless Parliament in the meantime otherwise provides, except the three following Acts, namely, An Act of the seventh year of King George the Fourth, chapter ninety, "for making a turnpike road from Saint John's Chapel, in the parish of Saint Marylebone, to the north-east end of Ballard's Lane, abutting upon the north road in the parish of Finchley, with a branch therefrom in the county of Middlesex;" An Act of the fifth year of King William the Fourth, chapter twenty-three, "to incorporate the Avenue Road in the parish of Saint Marylebone with the Marylebone and Finchley Turnpike Roads in the county of Middlesex;" An Act of the thirteenth and fourteenth years of Her present Majesty, chapter one hundred and three, "for continuing the term of an Act passed in the seventh year of the reign of His Majesty King George the Fourth, intituled An Act for making a turnpike road from Saint John's Chapel in the parish of Saint Marylebone to the north-east end of Ballard's Lane, abutting upon the north road in the parish of Finchley, with a branch therefrom in the county of Middlesex, for the purpose of paying off the debt now due on the said roads, and providing for the future management thereof," which shall continue until the several debts have been paid off and discharged, and no longer; and except the three following Acts, namely, An Act of the ninth year of King George the Fourth, chapter one hundred and twelve, "for more effectually repairing and improving the several roads called the Cannon Street Roads, the Commercial Road, the Horseferry Branch of Road, the East India Dock Road, the Barking Road, and the Shadwell and Mile End Branch of Road in the counties of Middlesex and Essex, and for laying down a stoneway on the said Commercial, East India Dock, and Barking roads;" An Act of the twelfth and thirteenth years of Her present Majesty, chapter seventy-six, "for more effectually repairing the Commercial Road, and other roads connected therewith, in the counties of Middlesex and Essex;" An Act of the eighteenth year of Her present Majesty, chapter sixty-seven, "for amending The Commercial Roads Act, 1828, and The Commercial Roads Continuation Act, 1849, and for other purposes," which shall continue in force till the fifth day of August one thousand eight hundred and seventy-one, and no longer.

7 G. 4. c. xc.

5 W. 4. c. xxiii.

13 & 14 Vict. c. ciii.

9 G. 4. c. cxii.

12 & 13 Vict. c. lxxvi.

18 Vict. c. lxvii.

Maintenance of certain highways.

10. With regard to any highway which within seven years previous to the passing of this Act has ceased, or which hereafter may cease to be a turnpike road, the cost of maintaining

so much thereof as passes through any highway district constituted under the Highway Acts, 1862 and 1864, shall after the thirty-first day of December one thousand eight hundred and seventy, or after the date of the said highway ceasing to be a turnpike road, whichever shall last happen, be a charge on the common fund of such highway district, and shall be annually provided for in the same manner as is enacted in the thirty-second section of the Highway Act, 1864, in respect to the salaries of the officers appointed for the district.

Stone, &c. to be raised within any highway district.

11. It shall be lawful for any surveyor of any highway district to raise stone or other material within any highway district for the repair of any turnpike road which may be thrown upon any highway district by the preceding clause of this Bill, in the same manner and with the like powers, and on payment of such compensation for the same, as the trustees of a turnpike road are now empowered by law to do.

Bridges to become county bridges.

12. Where a turnpike road shall have become an ordinary highway, all bridges which were previously repaired by the trustees of such turnpike road shall become county bridges, and shall be kept in repair accordingly.

Provided that for the purposes of this Act such bridges shall be treated as if they were bridges built subsequently to the passing of the Act of the fifth and sixth years of His late Majesty King William the Fourth, chapter fifty, intituled "An Act to consolidate and amend the laws relating to High-"ways in that part of Great Britain called England."

5 & 6 W. 4. c. 50.

Turnpike roads extending into two counties.

13. Where a turnpike road extending into two or more counties shall become an ordinary highway, in lieu of the certificate required by the seventh section of "The Annual Turnpike Acts Continuance Act, 1868," to be given by two justices before the trustees can award compensation to their officers, there shall be required a certificate by two justices of each county into which such turnpike road may extend, and each of such certificates shall certify that such part of the road as lies within the county for which the justices giving the certificate are acting, was, at the time at which it became an ordinary highway, in complete and effectual repair.

Short title.

14. This Act may be cited for all purposes as "The Annual Turnpike Acts Continuance Act, 1870."

SCHEDULES.

County.	Name of Trust.	No. of Schedule.	No. of Act.
Bucks	Colnbrook, Datchet, and Slough	3	31
Cambridge	Arrington	2	11
	Stump Cross	5	36
Chester	Spann Smithy, Booth Lane, and Winsford	2	13
Cumberland	Whitehaven	2	20
Derby	Nottingham Road, Derby to Risley	6	45
Durham	Bowes and Sunderland Bridge	2	9, 10
	Gateshead and Hexham	7	57
	Wearmouth Bridge to Tyne Bridge	3	30
Essex	Hockerill	2	21
Gloucester	Chipping Campden	1	1
Kent	Dartford and Strood	6	39
	Greenwich and Woolwich, Lower Road	1	8a
Lancaster	Barton Bridge and Moses Gate	6	42
	Liverpool, Prescot, Ashton, and Warrington	6	47
	Pendleton	6	53
	Penwortham and Wrightington	2	17
Lincoln	Bourn	6	40
	Foston Bridge to Witham Common	2	22
Norfolk	Lynn and Wisbech	2	15
	Stoke Ferry	1	2
Northampton	Banbury and Lutterworth, Banbury to Drayton	5	35
	Ditto Lutterworth to Badby		
	Dunchurch	2	19
	Kettering and Northampton	7	56
	Peterborough and Wellingborough, Clapton Branch	1	8
	Wansford and Stamford	6	40
	Warwick and Northampton	2	26
Nottingham	Nottingham and Derby, Eastern Division	2	18
Rutland	Oakham	6	37
Somerset	Bridgewater	4	33
	Frome	2	23
	Wiveliscombe	7	54
Stafford	Birmingham and Wednesbury	2	24
	Walton-in-Stone to Eccleshall	6	52
Sussex	Broil Park Gate to Battle	6	38
	Lewes and Brighton	2	27
	Midhurst and Sheetbridge	6	41
Warwick	Birmingham and Watford Gap, Kingsbury Branch	6	43
Westmorland	Appleby and Kendal	1	7
Wilts	Amesbury	6	48a
	Trowbridge	3	32
Worcester	Dudley and Brettell Lane, and Pedmore and Rowley, United	6 7	48 55
	Tenbury	2	14
	Worcester:		
	Barbourne Roads (7th Dist.) Bransford Roads (4th „) Broadwas Roads (5th „) Henwick & Martley Rds. (6th „) London & Stonebow Rds. (1st „) Powick Roads (3rd „) Upton Roads (2nd „)	2	28, 29
	Lowesmoor Roads (8th „)	1	4, 6

County.	Name of Trust.	No. of Schedule.	No. of Act.
York -	Barnsley and Pontefract - - - - -	1	3
	Birstal and Huddersfield - - - -	6	46, 49
	Dewsbury to Ealand - - - - -	6	50
	Doncaster and Bawtry - - - - -	2	25
	Doncaster and Saltersbrook - - - -	6	44
	Dudley Hill, Killinghall, and Harrogate - - -	6	51
	Kirkstall, Otley, and Shipley - - - -	4	34
	Salterhebble, Stainland, and Sowerby Bridge - -	1	5
	Wetherby and Knaresborough - - - -	2	16
	York and Boroughbridge - - - -	2	12

FIRST SCHEDULE.

Acts which are to be repealed on and after the 1st of November 1870.

Date of Act.	Title of Act.
57 G. 3. c. v. - *Limited to expire at end of session after 1 November 1870.*	1. An Act for repairing the road from the Cross Hands on the Worcester and Oxford Turnpike Road to Halford Bridge, and other roads therein mentioned, in the counties of Gloucester, Warwick, and Worcester.
2 W. 4. c. lxxxiii. - *Limited to expire at end of session after 1 Nov. 1870.*	2. An Act for more effectually repairing several roads leading from the Bell in Stoke Ferry in the county of Norfolk.
3 W. 4. c. xiii. - *Limited to expire at end of session after 1 Nov. 1870.*	3. An Act for repairing and improving the road from Barnsley to Cudworth Bridge, and from thence into the turnpike road leading from Wakefield to Doncaster, and other roads connected therewith, all in the West Riding of the county of York.
5 & 6 W. 4. c. lxiii. - *Limited to expire at end of session after 1 Nov. 1870.*	4. An Act for improving and more effectually repairing the several roads leading into and from the city of Worcester; *so far as the same relates to the eighth district of roads.*
1 Vict. c. xlii. - *Limited to expire at end of session after 1 Nov. 1870.*	5. An Act for repairing and maintaining a road from near Salterhebble in the parish of Halifax to the Huddersfield and New Hey Turnpike Road in the parish of Huddersfield, and to Sowerby Bridge in the said parish of Halifax, all in the West Riding of the county of York, with a bridge on the line of the said road.
11 & 12 Vict. c. cxxxvii. *Limited to expire at end of session after 1 Nov. 1870.*	6. An Act to enable the trustees of the Worcester Turnpike Road to make certain new roads, and to improve and more effectually maintain the several roads leading into and from the city of Worcester; *so far as the same relates to the eighth district of roads.*
14 Vict. c. xiii. - *Limited to expire at end of session after 31 Oct. 1872.*	7. An Act for keeping in repair the road from Appleby in the county of Westmoreland to Kirkby-in-Kendal, and from Orton to the turnpike road near Shap, and from Highgate, near Tebay, through Kirkby Stephen, to Market Brough in the said county.
18 & 19 Vict. c. cvii. - *Limited to expire on payment of debt.*	8. An Act to repeal the Act relating to the Peterborough and Wellingborough turnpike road, and to make other provisions in lieu thereof, *so far as the same relates to the Clapton branch of road.*
29 & 30 Vict. c. cxxii. *Limited to expire at end of session after 1 Nov. 1871.*	8a. An Act for continuing the term and provisions of the several statutes relating to the Greenwich and Woolwich turnpike lower road in the county of Kent.

SECOND SCHEDULE.

Acts which are to expire at the Date (1st November 1870) mentioned in 32 & 33 Vict. c. 90.

Date of Act.	Title of Act.
53 G. 3. c. xxv. -	9. An Act for continuing and amending an Act of His present Majesty, for repairing the roads leading from Bowes in the county of York, through Barnard Castle and Bishop Auckland, to join the Great North Road near Sunderland Bridge in the county of Durham.
56 G. 3. c. xxxiii. -	10. An Act to rectify a mistake in an Act of the fifty-third year of His present Majesty, for repairing the roads from Bowes in the county of York to join the Great North Road near Sunderland Bridge in the county of Durham.
57 G. 3. c. lxviii. -	11. An Act for enlarging the term and powers of an Act of His present Majesty, for repairing the road from Cambridge to the Old North Road, near Arrington Bridge in the county of Cambridge.
58 G. 3. c. ii. - -	12. An Act to continue the terms and alter and enlarge the powers of three Acts passed in the twenty-third year of the reign of His late Majesty King George the Second, and in the eleventh and thirty-seventh years of His present Majesty's reign, for repairing the road from the city of York to Boroughbridge in the county of York.
3 G. 4. c. xlviii. -	13. An Act for more effectually repairing and widening the roads from Spann Smithy, through Middlewich and by Spittle Hill in Stanthorn, to Winsford Bridge, and from Spittle Hill to Northwich in the county palatine of Chester.
4 G. 4. c. xxv. -	14. An Act for more effectually amending, widening, and keeping in repair several roads in and near to the town of Tenbury in the counties of Salop, Worcester, and Hereford, and the roads leading from the Knowle Gate to the turnpike road on the Clee Hill, and from Kyre Mill to the turnpike road leading from Bromyard to Tenbury.
4 G. 4. c. lv. - -	15. An Act for more effectually amending the roads from the Little Bridge over the end of the drain near Wisbeach River, lying between Roper's Fields and the Bell Inn in Wisbeach in the Isle of Ely, to the west end of Long Bridge in South Lynn in the borough of King's Lynn in the county of Norfolk, and for amending, improving, and keeping in repair certain other roads therein mentioned, in the said county of Norfolk.
5 G. 4. c. viii. -	16. An Act for amending, improving, and keeping in repair the roads leading from Wetherby to Knaresborough in the West Riding of the county of York.
6 G. 4. c. ii. - -	17. An Act for repairing and maintaining the road from Penwortham Bridge to the boundary between the townships of Wrightington and Shevington, and the road from Lydiate Lane End to a bridge called Little Hanging Bridge, all in the county of Lancaster.
7 & 8 G. 4. c. xxvii. -	18. An Act for more effectually repairing and otherwise improving the road from the east end of Chapel Bar in Nottingham to the New China Works near Derby, and from the Guide Post in the parish of Lenton to Sawley Ferry, all in the counties of Nottingham and Derby; *so far as the same relates to the Eastern Division.*
7 & 8 G. 4. c. liv. -	19. An Act for repairing the road from Dunchurch to Hillmorton in the county of Warwick, and from thence to Saint James's End in the parish of Duston in the county of Northampton.
9 G. 4. c. x. - -	20. An Act for more effectually repairing and improving the roads leading to and from the port, harbour, and town of Whitehaven in the county of Cumberland.

Date of Act.	Title of Act.
10 G. 4. c. xxi. -	21. An Act for more effectually repairing, widening, and improving the road from Harlow Bush Common, in the parish of Harlow in the county of Essex, to Stump Cross in the parish of Great Chesterford in the same county, and for making and maintaining two new lines of road communicating therewith.
11 G. 4. & 1 W. 4. c. xc.	22. An Act for repairing the road from Foston Bridge to the Division Stone on Witham Common in the county of Lincoln.
1 & 2 W. 4. c. lxvi. -	23. An Act for better repairing and improving several roads leading to and from the town of Frome in the county of Somerset.
2 W. 4. c. vi. - -	24. An Act for more effectually maintaining and improving the roads from Birmingham to Wednesbury, and to Great Bridge, and from thence to the Portway adjoining the Bilston and Wednesbury turnpike road, and to Nether Trindle near Dudley, and from Trouse Lane in the parish of Wednesbury to Darlaston, in the counties of Warwick, Stafford, and Worcester; and for making new branches of road communicating therewith.
2 W. 4. c. xx. -	25. An Act for more effectually repairing and otherwise improving the road from Doncaster to Bawtry in the county of York.
2 W. 4. c. xcviii. -	26. An Act for repairing and improving the road from the Great Bridge in the borough of Warwick, through Southam and Daventry, to the town of Northampton.
3 W. 4. c. xliii. -	27. An Act for more effectually repairing the road from Lewes to Brighthelmston in the county of Sussex.
5 & 6 W. 4. c. lxiii. -	28. An Act for improving and more effectually repairing the several roads leading into and from the city of Worcester; *so far as the same relates to the first, second, third, fourth, fifth, sixth, and seventh districts of roads.*
11 & 12 Vict. c. cxxxvii.	29. An Act to enable the trustees of the Worcester Turnpike Road to make certain new roads, and to improve and more effectually maintain the several roads leading into and from the city of Worcester; *so far as the same relates to the first, second, third, fourth, fifth, sixth, and seventh districts of roads.*

THIRD SCHEDULE.

Acts which are to be repealed on or after the date (1st November 1870) mentioned in 32 & 33 Vict. c. 90.

Date of Act.	Title of Act.
2 Vict. c. xxii. - *Limited to expire at end of session after 1 September* 1870.	30. An Act for more effectually repairing and improving the road from Wearmouth Bridge to Tyne Bridge, with a branch from the said road to the town of South Shields, all in the county of Durham.
4 Vict. c. xxxiii. - *Limited to expire at end of session after June* 1872.	31. An Act for more effectually repairing the road from Cranford Bridge to Maidenhead Bridge, with roads thereout to Eton Town End, and to the Great Western Railway, and from Langley Broom to Datchet Bridge, all in the counties of Middlesex and Bucks.
17 & 18 Vict. c. lxxv. *Limited to expire at end of session after 1 November* 1875.	32. An Act to create a further term in the Trowbridge roads, to add other roads to the trust, to amend and extend the Act relating to the said roads; and for other purposes.

FOURTH SCHEDULE.

Acts which are to continue until the 31st of December 1870, and no longer.

Date of Act.	Title of Act.
3 G. 4. c. lxv. - -	33. An Act to repeal several Acts passed for repairing several roads leading to the town of Bridgewater in the county of Somerset, and several other roads therein mentioned, so far as the said Acts relate to the roads leading to the said town, and to consolidate and comprise the same in one Act of Parliament.
1 & 2 Vict. c. lxxvii. -	34. An Act to vary and alter the lines of the Kirkstall, Ilkley, and Shipley district of road, and for making a new road from the Otley branch road in the said district to Burley in the parish of Otley, all in the West Riding of the county of York.

FIFTH SCHEDULE.

Acts which are to be repealed on the 31st of May 1871.

Date of Act.	Title of Act.
3 Vict. c. xxxviii. - *Limited to expire at end of session after* 19 *May* 1871.	35. An Act for repairing and maintaining a road from Banbury in the county of Oxford to Lutterworth in the county of Leicester, and other roads communicating therewith.
4 Vict. c. xx. - - *Limited to expire at end of session after* 1 *June* 1872.	36. An Act for maintaining certain roads in the county of Cambridge, to be called "The Stumpcross Roads."

SIXTH SCHEDULE.

Acts which are to continue until the 1st of November 1871, and no longer, unless Parliament in the meantime otherwise provides.

Date of Act.	Title of Act.
57 G. 3. c. xlvi. - -	37. An Act for continuing and amending an Act of His present Majesty, for repairing the road from Stamford in the county of Lincoln, through Oakham, to the Great North Road in the parish of Greetham in the county of Rutland.
1 & 2 G. 4. c. xxvii. -	38. An Act for more effectually making, repairing, and improving the road from near the place where the Broil Park Gate formerly stood to the Horsebridge Turnpike Road on the Dicker, and from the Blacksmith's Shop in Horsebridge Street to the town of Battle in the county of Sussex.
3 G. 4. c. lxx. - -	39. An Act for repairing, widening, and maintaining the road leading from Dartford to and through Northfleet and Gravesend, and thence to the Stones End near the parish church of Strood in the county of Kent.
4 G. 4. c. cxi. - -	40. An Act for more effectually repairing the road from Wansford Bridge in the county of Northampton to Stamford, and from Stamford to Bourn in the county of Lincoln.

Date of Act.	Title of Act.
6 G. 4. c. xi. - -	41. An Act for making and maintaining a turnpike road from Midhurst in the county of Sussex, to the London and Portsmouth Turnpike Road between the fifty-second and fifty-third milestones near Sheet Bridge in the county of Southampton.
6 G. 4. c. xlvii. - -	42. An Act for more effectually amending, widening, and maintaining the road from Barton Bridge in the parish of Eccles, through the township of Worsley, to Moses Gate in the township of Farnworth, and for making, repairing, and improving other roads to communicate therewith, all in the county palatine of Lancaster.
7 G. 4. c. xxii. - -	43. An Act for repairing the road from Birmingham to Watford Gap in the parish of Sutton Coldfield in the county of Warwick, and other roads communicating therewith; *so far as the same relates to the Kingsbury Branch Road.*
7 G. 4. c. cxxx. - -	44. An Act for more effectually improving the roads from Doncaster to Salter's Brook Bridge, and for diverting and altering the said roads, and making certain branches therefrom, all in the county of York.
7 & 8 G. 4. c. xxvii. -	45. An Act for more effectually repairing and otherwise improving the road from the east end of Chapel Bar in Nottingham to the New China Works near Derby, and from the Guide Post in the parish of Lenton to Sawley Ferry, all in the counties of Nottingham and Derby; *so far as the same relates to the road from Derby to Risley.*
9 G. 4. c. lxxxiii. -	46. An Act for amending, diverting, and improving the present roads, and making and maintaining certain new roads between the towns of Birstal and Huddersfield in the West Riding of the county of York.
1 & 2 W. 4. c. xxix. -	47. An Act for more effectually repairing, amending, and improving the roads from Liverpool to Prescot, Ashton, and Warrington, in the county palatine of Lancaster.
2 W. 4. c. lxxxiv. -	48. An Act for maintaining and improving certain roads within the counties of Worcester and Stafford called "The Dudley and Brettell Lane District of Roads," and for making several Branches from such roads.
5 W. 4. c. xxxviii. -	48a. An Act for more effectually repairing the road from Mullen's Pond in the county of Southampton, through Amesbury, to the Eighteen Milestone from the city of New Sarum near Willoughby Hedge in the county of Wilts, and several other roads leading out of the said road.
6 W. 4. c. lxxxv. -	49. An Act to amend an Act passed in the ninth year of the reign of King George the Fourth, for diverting, improving, and maintaining the roads between the towns of Birstal and Huddersfield in the West Riding of the county of York.
6 & 7 W. 4. c. cxviii. -	50. An Act for repairing, maintaining, and improving the road from Dewsbury to Ealand in the West Riding of the county of York.
1 & 2 Vict. c. xciv. -	51. An Act for more effectually repairing, improving, and maintaining the Dudley Hill and Killinghall Turnpike Road, and for making a new road therefrom to communicate with the Leeds and Harrogate Turnpike Road, all in the West Riding of the county of York.
6 & 7 Vict. c. xxvi. -	52. An Act for repairing and improving certain roads in the neighbourhood of Trentham and Stone in the county of Stafford, and for making and maintaining a new road from Trentham Inn to the Newcastle-under-Lyme and Market Drayton Turnpike Road in the same county, and another new piece of road in the parish of Trentham aforesaid; *so far as the same relates to the Walton in Stone to Eccleshall, or Second District of Roads.*
16 & 17 Vict. c. cxxxv.	53. An Act for more effectually repairing and improving several roads leading to and from the town of Salford, through Pendleton, and other places in the county palatine of Lancaster.

SEVENTH SCHEDULE.

Acts which are to be repealed on and after the 1st of November 1871, unless Parliament in the meantime otherwise provides.

Date of Act.	Title of Act.
14 Vict. c. xx. - - *Limited to expire at end of session after* 20 *May* 1872.	54. An Act for maintaining in repair several roads leading from and through the town of Wiveliscombe in the county of Somerset, and the roads adjoining thereto in the counties of Somerset and Devon.
15 Vict. c. lxxxvi. - *Limited to expire at end of session after* 21 *October* 1873.	55. An Act to repeal the Acts and parts of Acts relating to the Pedmore and Holly Hall Districts of Roads, and to substitute other provisions for the same.
15 Vict. c. xcix. - *Limited to expire at end of session after* 30 *October* 1873.	56. An Act to repeal an Act for repairing the road from Kettering to the town of Northampton in the county of Northampton, and to substitute other provision in lieu thereof.
18 & 19 Vict. c. clxxvi. *Limited to expire at end of session after* 1 *November* 1876.	57. An Act for maintaining and improving the road from Gateshead in the county of Durham to the Hexham Turnpike Road near Dilston Bar in the county of Northumberland, and other roads connected therewith.

EIGHTH SCHEDULE.

(*Turnpike Trusts out of Debt and continued by the Annual Turnpike Acts Continuance Acts.*)

Acts which are to continue until the 1st of November 1871, and in the case of each trust for such further time, if any, as may be required to complete the term of one year, not later than 1st June 1872, from the time for which the tolls, or any of them, shall have been let at the last meeting of such trust held for that purpose, unless Parliament in the meantime otherwise provides.

County.	Name of Trust.	No. of Trust.
Bedford	Puddlehill	2
Cambridge	Hauxton and Dunsbridge	38
	Paper Mills	3
Cumberland	Kingstown and Westlinton Bridge	35
	Longtown	42
Gloucester	Cheltenham and Tewkesbury	6
	Maisemore	56
	Northgate	33
	Over	56
	Stow and Moreton, United	4, 7, 16, 23, 48
	Tewkesbury	32
Hants	Portsmouth and Sheetbridge	11
	Southampton, South District	20
	Winchester, Upper District	5
Hertford	Cheshunt	55
	Wadesmill	8
Kent	Dover to Barham Downs	22
	Tonbridge	60, 61
	Whitstable	25

County.	Name of Trust.	No. of Trust.
Lancaster	Crossford Bridge and Manchester	44, 63
	Manchester and Saltersbrook	30, 57
Leicester	Bridgford Lane and Kettering, South Part of Northern Division.	21
	Burton Bridge to Market Bosworth	45
	Melton Mowbray	29
Lincoln	Bridge End	28
	Deeping and Morcott	40
Monmouth	Chepstow	15
Norfolk	Lynn, East Gate	47
	Norwich, Swaffham, and Mattishall	59
Northampton	Buckingham and Hanwell, Lower Division	50
	Market Harborough and Welford	18
Northumberland	Alemouth and Hexham, Eastern District	13
	Alnwick and Eglingham	31
	Wooler and Adderstone	27
Nottingham	Bawtry and Scrooby	1
	Bingham	10
	Foston Bridge and Little Drayton	9
	Nottingham and Kettering, Northern Division	21
Oxford	Burford, Chipping Norton, Banbury, and Aynho	48
	Drayton Lane to Edgehill	17
	Gosford Road	14
Rutland	Nottingham and Kettering, Southern Division	21
Somerset	Radstock	43
Stafford	Ashby-de-la-Zouch to Tutbury	26
	Newcastle-under-Lyme and Drayton	52
	Streetway and Wordsley Green, and Wolverhampton and Cannock.	41
	Tamworth	51
Suffolk	Ipswich to South Town, and Darsham to Bungay	39
Sussex	Horsebridge and Horeham	19
Warwick	Birmingham and Spernal Ash	37
	Birmingham and Stratford-on-Avon	12
	Dunchurch to Stonebridge	24
	Great Kington and Wellesbourne	54
	Warwick, Paddlebrook, and Stratford	34
	Wellesbourn and Stratford	53
Worcester	Birmingham and Bromsgrove	46
	Evesham, First District, Pershore Division	16
York	Boroughbridge and Durham (part)	49
	Leeds and Harrogate	62
	Tadcaster Bridge and Hob Moor Lane End	58
	York to Kexby Bridge, and Grimston to Stone Dale	36

Date of Act.	Title of Act.
53 G. 3. c. xi.	1. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing and widening the road from Bawtry in the county of York to East Markham Common in the county of Nottingham, and from Little Drayton to Twyford Bridge in the said county of Nottingham.
54 G. 3. c. cxxi.	2. An Act for continuing and amending an Act of His present Majesty, for repairing the road from Dunstable to Hockliffe in the county of Bedford.

Date of Act.	Title of Act.
55 G. 3. c. xlix. - -	3. An Act for more effectually repairing the road from Jesus Lane in the town of Cambridge to Newmarket Heath in the county of Cambridge.
56 G. 3. c. i. - -	4. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing the road from Chapel on the Heath in the county of Oxford to Bourton on the Hill in the county of Gloucester.
57 G. 3. c. xxvi. -	5. An Act for amending the roads leading from Basingstone near Bagshot, through Farnham in the county of Surrey, and Alton and New Alresford, to Winchester in the county of Southampton; *so far as the same relates to the Upper District of Roads.*
58 G. 3. c. v. - -	6. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing the roads leading from the city of Gloucester towards Cheltenham and Tewkesbury in the county of Gloucester.
59 G. 3. c. cxxiv. -	7. An Act for enlarging the term and powers of an Act, passed in the thirty-fourth year of the reign of His present Majesty, for repairing the roads leading from the town of Tewkesbury in the county of Gloucester, and other roads therein mentioned, so far as such Act relates to the road from Stump Cross in the parish of Didbrook to Stow-on-the-Wold in the county of Gloucester.
1 & 2 G. 4. c. xvii. -	8. An Act for continuing and amending four Acts of their late Majesties King George the Second and King George the Third, for repairing the roads leading from Wades Mill in the county of Hertford to Barley and Royston in the said county.
1 & 2 G. 4. c. xxix. -	9. An Act for continuing the term and amending, altering, and enlarging the powers of an Act of His late Majesty's reign for more effectually repairing the road from Foston Bridge in the county of Lincoln to Little Drayton in the county of Nottingham.
1 & 2 G. 4. c. xxx. -	10. An Act for more effectually repairing and improving the road from Newark-upon-Trent in the county of Nottingham, to join the road from Nottingham to Grantham in the county of Lincoln, near the Guide Post on the Foss Road near Bingham, in the said county of Nottingham.
1 & 2 G. 4. c. lvi. -	11. An Act to continue the term and alter and enlarge the powers of two Acts, for repairing the roads from Sheet Bridge to Portsmouth, and from Petersfield to the Alton Turnpike Road near Ropley, in the county of Southampton.
1 & 2 G. 4. c. lxxxi. -	12. An Act for repairing the road from Birmingham, through Stratford-upon-Avon, to Stratford Bridge in the county of Warwick.
1 & 2 G. 4. c. lxxxiv.	13. An Act for repairing the road from Alemouth, through Alnwick and Rothbury, to Hexham, and a branch from the said road between Alnwick and Rothbury to Jockey's Dike Bridge, all in the county of Northumberland; *so far as the same relates to the Eastern District.*
1 & 2 G. 4. c. lxxxvi.	14. An Act to continue and amend two Acts for repairing the road from the turnpike road near the town of Weston-on-the-Green in the county of Oxford to the turnpike road on Kidlington Green in the said county.
3 G. 4. c. ii. - -	15. An Act for repairing and maintaining certain roads leading to and from Chepstow and other places in the counties of Monmouth and Gloucester, called the District of Chepstow and the New Passage District.
3 G. 4. c. lxix. - -	16. An Act for repairing and amending several roads leading to and from the borough of Evesham in the county of Worcester, and several other roads in the counties of Worcester and Gloucester; *so far as the same relates to the Second District, and to the Pershore Division of the First District.*

Date of Act.	Title of Act.
3 G. 4. c. xc.	17. An Act for more effectually repairing the road from the Guide Post near the end of Drayton Lane, near Banbury in the county of Oxford, to the house called the Sun Rising, at the top of Edge Hill in the county of Warwick.
3 G. 4. c. c.	18. An Act for amending, widening, and keeping in repair the roads leading from the town of Northampton to Chain Bridge near the town of Market Harborough, and from the Direction Post in Kingsthorpe to Welford Bridge, all in the county of Northampton.
4 G. 4. c. xii.	19. An Act for more effectually making, repairing, and improving the roads from Union Point near Uckfield to the sea houses in Eastbourne, and from Horsebridge to Cross in Hand, all in the county of Sussex.
4 G. 4. c. xv.	20. An Act for repairing and improving the roads from the town of Stockbridge to the city of Winchester, and from the said city of Winchester to the top of Stephen's Castle Down near the town of Bishop's Waltham in the county of Southampton, and from the said city of Winchester through Otterborne to Bar Gate in the town and county of the town of Southampton, and certain roads adjoining thereto; *so far as the same relates to the South District of the Southampton Road.*
4 G. 4. c. lvi.	21. An Act for continuing the term and powers of an Act of His late Majesty's Reign, for repairing the road from the north end of Bridgford Lane in the county of Nottingham to the Bowling Green at Kettering in the county of Northampton.
4 G. 4. c. lxxxi.	22. An Act for amending and keeping in repair the roads from Dover to Barham Downs, and from Dover to the town of Folkestone, and from thence through the parish of Folkestone to Sandgate in the county of Kent; *so far as the same relates to the Dover to Barham Downs Road.*
5 G. 4. c. ix.	23. An Act for amending and maintaining the roads from the Hand and Post at the top of Burford Lane in the county of Gloucester to Stow-on-the-Wold, and from thence to Paddle Brook; and from the Cross Hands on Salford Hill in the county of Oxford to the Hand and Post in the parish of Withington in the county of Gloucester.
5 G. 4. c. xliii.	24. An Act for repairing the road from Dunchurch to Stonebridge in the county of Warwick.
5 G. 4. c. lxxxviii.	25. An Act for more effectually repairing the roads leading from Saint Dunstan's Cross to North Lane near to the city of Canterbury, and to the sea side at Whitstable in the county of Kent, and for widening and improving the road from North Lane aforesaid over West Gate Bridge to the West Gate of the said city, and for making a foot bridge on each side of the said bridge and gate into the said city.
5 G. 4. c. ci.	26. An Act for more effectually repairing the road from Ashby-de-la-Zouch in the county of Leicester, through Burton-upon-Trent in the county of Stafford to Tutbury in the said county of Stafford.
6 G. 4. c. xxviii.	27. An Act for more effectually amending, widening, improving, and keeping in repair the road from Wooler to the Great North Turnpike Road at or near to Adderstone Lane in the county of Northumberland.
6 G. 4. c. liii.	28. An Act for repairing the road branching out of the Great North Road by the Guide Post at the south end of Spittlegate in the parish of Grantham in the county of Lincoln, and leading from thence to the turnpike road at or near Bridge End in the same county.
6 G. 4. c. lxxxi.	29. An Act for more effectually repairing, widening, altering, and improving the road from Melton Mowbray in the county of Leicester, to the *guide* post in Saint Margaret's Field, Leicester, and the road branching from the said road at or near a certain place in the lordship of Barkby in the said county called the Round Hill, to the town of Barkby.

Date of Act.	Title of Act.
7 G. 4. c. xvi. - -	30. An Act for more effectually repairing and improving the roads from Manchester in the county palatine of Lancaster to Salter's Brook in the county palatine of Chester, and for making and maintaining several extensions or diversions of road, and a new branch of road to communicate therewith.
7 G. 4. c. lxxv. - -	31. An Act for more effectually amending, widening, altering, improving, and maintaining the road from the town of Alnwick in the county of Northumberland by Eglingham and Chatton to the Great North Turnpike Road near to Haggerston Toll Bar in the county of Durham.
7 G. 4. c. lxxviii. -	32. An Act for making, maintaining, and repairing certain roads leading into and from the town of Tewkesbury in the county of Gloucester, towards the cities of Gloucester and Worcester, and the towns of Cheltenham, Stow-on-the-Wold, Evesham, and Pershore, and certain other roads therein mentioned in the counties of Gloucester and Worcester.
7 & 8 G. 4. c. xvi. -	33. An Act for more effectually repairing the roads from the city of Gloucester to the top of Birdlip Hill, and from the foot of the said hill to the top of Crickley Hill in the county of Gloucester.
7 & 8 G. 4. c. xxvi. -	34. An Act for repairing the roads from Warwick to Paddle Brook in the parish of Stretton-on-the-Fosse, and from Warwick to Stratford-upon-Avon, in the counties of Warwick and Worcester.
7 & 8 G. 4. c. li. -	35. An Act for amending, improving, and maintaining in repair the road between the point at which the great roads from the city of Carlisle to the cities of Edinburgh and Glasgow respectively separate, and Westlinton Bridge in the county of Cumberland.
7 & 8 G. 4. c. xcix. -	36. An Act for repairing the road from the city of York to Kexby Bridge, and from Grimston to the upper end of Stone Dale in the county of York.
9 G. 4. c. xxxiv. -	37. An Act for repairing the road from Spernal Ash in the county of Warwick through Studley to Birmingham.
9 G. 4. c. xxxvi. -	38. An Act for more effectually repairing the roads from the town of Cambridge to the Wadesmill Turnpike Road in the parishes of Great Chishill and Little Chishill in the county of Essex, and from the said town of Cambridge to Royston in the county of Cambridge.
9 G. 4. c. xlv. -	39. An Act for repairing the road leading from Ipswich to South Town, and from the said Road, at or near Beech Lane in the parish of Darsham, to Bungay in the county of Suffolk.
10 G. 4. c. lxxviii. -	40. An Act for more effectually repairing the road from James Deeping Stone Bridge to Peter's Gate in Stamford in the county of Lincoln, and from thence to the south end of the town of Morcott in the county of Rutland.
10 G. 4. c. lxxix. -	41. An Act for improving and maintaining certain roads in the counties of Worcester, Warwick, Stafford, and Salop, called "The Dudley, Birmingham, Wolverhampton, and Streetway District;" *so far as the same relates to the Streetway and Wordsley Green and Wolverhampton and Cannock Roads.*
11 G. 4. c. ix. -	42. An Act for more effectually repairing the roads to and from Longtown, and certain other roads communicating therewith, in the county of Cumberland.
11 G. 4. c. xxxiv. -	43. An Act for more effectually repairing and otherwise improving several roads from Radstock to Buckland Dinham, Kilmersdon, Babington, and Hallastrow, and from Norton Down to Norton St. Philip, in the county of Somerset.
1 W. 4. c. vii. -	44. An Act for more effectually maintaining the road from Crossford Bridge to the town of Manchester in the county palatine of Lancaster, and for making a branch road to communicate therewith.

Date of Act.	Title of Act.
1 W. 4. c. x.	45. An Act for repairing the road from Burton Bridge in the county of Stafford to Market Bosworth in the county of Leicester.
1 W. 4. c. xi.	46. An Act for repairing the road from Birmingham to Bromsgrove.
1 & 2 W. 4. c. xxi.	47. An Act for more effectually repairing the roads from the borough of King's Lynn, and other roads therein mentioned, and for making a new line of road at Castle Rising, all in the county of Norfolk.
2 W. 4. c. xvi.	48. An Act for more effectually improving the road from Burford to Banbury in the county of Oxford, and from Burford to the road leading to Stow in the county of Gloucester, and from Swerford Gate in the county of Oxford to the road in Aynho in the county of Northampton; and for making a new branch of road to communicate with the same.
2 W. 4. c. xxii.	49. An Act for more effectually repairing the road leading from Boroughbridge in the county of York to the city of Durham, and for making and maintaining certain deviations therein; *so far as the same relates to that part of the road situate in the county of York.*
2 W. 4. c. xxxiv.	50. An Act for more effectually repairing the road from the Sessions House in the town of Buckingham to Hanwell in the county of Oxford; *so far as the same relates to the Lower Division.*
2 W. 4. c. li.	51. An Act for maintaining several roads leading to and from the town of Tamworth in the counties of Stafford and Warwick.
2 W. 4. c. lv.	52. An Act for more effectually repairing and improving the road from Newcastle-under-Lyme in the county of Stafford to Drayton in Hales, otherwise Market Drayton, in the county of Salop, and for making new branches and deviations of roads to communicate therewith.
3 W. 4. c. xvi.	53. An Act for repairing the road from Wellsbourn Mountfort to Stratford-upon-Avon in the county of Warwick.
3 W. 4. c. xli.	54. An Act for repairing the road from Upton in Ratley to Great Kington and Wellesbourne Hastings in the county of Warwick.
3 W. 4. c. xlii.	55. An Act for more effectually repairing the several roads leading from the towns of Hertford and Ware and other places in the county of Hertford.
3 W. 4. c. lv.	56. An Act for more effectually repairing the roads leading from the city of Gloucester towards the city of Hereford, and also towards Newent and Newnham in the county of Gloucester, Ledbury, in the county of Hereford, and Upton-upon-Severn in the county of Worcester.
3 W. 4. c. lvii.	57. An Act to amend an Act passed in the seventh year of the reign of His late Majesty King George the Fourth, for repairing the roads from Manchester to Salter's Brook, and for making several roads to communicate therewith; and also for making a certain new extension or diversion of the said roads instead of a certain extension or diversion by the said Act authorized to be made.
3 & 4 W. 4. c. lxxxiii.	58. An Act for repairing, maintaining, and improving the road from Tadcaster Bridge within the county of the city of York to Hob Moor Lane End.
5 W. 4. c. xl.	59. An Act for more effectually repairing the road from Saint Benedict's Gate in the county of the city of Norwich to Swaffham in the county of Norfolk, and from Halfpenny Bridge in Honingham to the Bounds of Yaxham, and also a lane called Hangman's Lane, near the gates of the said city.
5 & 6 W. 4. c. lxiv.	60. An Act for repairing the roads from Sevenoaks Common to Woodsgate, Tunbridge Wells, and Kipping's Cross, and from Tunbridge Wells to Woodsgate, in the county of Kent.

Date of Act.	Title of Act.
7 W. 4. c. xvii. -	61. An Act for amending an Act of His present Majesty, for repairing the roads from Sevenoaks Common to Woodsgate, Tunbridge Wells, and Kipping's Cross, and from Tunbridge Wells to Woodsgate, in the county of Kent.
2 Vict. c. xxxii. -	62. An Act for repairing and maintaining the road from Leeds, through Harewood, to the south-west corner of the inclosures of Harrogate in the West Riding of the county of York.
11 & 12 Vict. c. cxlvi.	63. An Act for altering and amending an Act passed for maintaining the road from Crossford Bridge to Manchester, and a branch connected therewith.

NINTH SCHEDULE.

(Turnpike Trusts nearly out of Debt and continued by the Annual Turnpike Acts Continuance Act.)

Acts which are to continue until the 1st of November 1871, and in the case of each trust for such further time, if any, as may be required to complete the term of one year, not later than 1st June 1872, from the time for which the tolls, or any of them, shall have been let at the last meeting of such trust held for that purpose, unless Parliament in the meantime otherwise provides.

County.	Name of Trust.	Tolls in 1869.	Debt in 1869.		No. of Act.
		£	£	pr. cent.	
Berks - -	Twyford and Theale - - -	959	500	4	38, 63
Bucks - -	Buckingham and Hanwell, Upper Division	317	120	4	54
	Princes Risborough and Thame - -	520	100	4	29
Chester -	Acton Bridge and Hartford Green - -	720	478	3	23, 42
	Macclesfield District of the Sandon -	804	245	4	25, 33
	Span Smithy and Linley Lane - -	402	400	3	26
Cornwall -	Callington - - - - -	1,010	900	4½ & 5	41
	Truro and Redruth - - -	3,712	2,400	4	67, 68
Derby - -	Sheffield and Gander Lane - -	1,827	858	4	18
Durham -	Boroughbridge and Durham (part) -	836	430	5	52
	Darlington and Cockerton Bridge (united) -	515	250	5	58
	Durham and Tyne Bridge - -	2,600	1,700	5	27
Gloucester -	Berkeley, Dursley, Wotton-under-Edge, Frocester, and Cainscross.	3,387	1,400	4	19
	Sodbury Division, and Cirencester and Bath (united).	2,588	1,800	4	1, 21
Hants - -	Stockbridge and Winchester - -	170	75	4	22
	Winchester and Alton, Lower District -	526	300	4½	9
Hereford -	Ledbury - - - - -	1,710	1,640	4	55
Hertford -	Sparrows Herne - - - -	1,800	700	4½	66
	Watton - - - - -	475	500	4	14
Huntingdon -	Godmanchester and Cambridge - -	772	260	4	3
	Somersham - - - -	945	820	4	15
Kent - -	Dover to Sandwich, through Deal - -	1,153	950	5	64
	Faversham, Hythe, and Canterbury -	1,512	550	4	48

County.	Name of Trust.	Tolls in 1869.	Debt in 1869.		No. of Act.
		£	£	pr. cent.	
Lancaster	Liverpool and Preston	3,635	1,950	4	49
	Manchester to Rochdale, &c., Manchester District.	1,120	700	4½	5
	Rochdale and Manchester	3,500	2,000	4 & 4½	65
Leicester	Leicester and Lutterworth	697	198	5	30
Lincoln	Lincoln, Brigg, Barton, Caistor, and Melton	1,711	886	4	40
Norfolk	Lynn, South Gate	1,063	1,300	4	51
	Norwich and Scole	173	300	4	36
	Norwich and Yarmouth	647	500	4	50
Northampton	Wellingborough and Northampton	448	430	5	10
Northumberland	Cow Cawsey and Buckton Burn	1,752	900	5	60
Nottingham	Kirkby and Pinxton	141	200	3	45
Salop	Ellesmere District, Wem Division	152	60	5	62
Somerset	Chard	743	500	4 & 5	44, 46
Stafford	Sandon, Hugbridge, Hilderstone, and Draycott in the Moors.	640	470	5	25
	Oswestry	2,302	2,779	4	13
Suffolk	South Town	358	490	4½	57
Sussex	Rye	760	400	4	28
	Tunbridge Wells and Uckfield	308	200	5	43
Warwick	Alcester, United	997	800	4	7, 17, 35
	Birmingham to Stonebridge	637	336	5	53
	Birmingham, Warwick, and Warmington	1,580	503	4	47
	Birmingham and Watford Gap	1,457	500	4	34
	Coventry and Wolvey	225	41	4	2
	Evesham and Alcester, Alcester District	244	200	4	11
	Stonebridge and Kenilworth	118	955	4 & 5	6
Westmoreland	Ambleside	1,086	880	4	24
Wilts	Calne	601	400	5	4
	Marlborough and Froxfield	127	100	4	39
	Westbury	921	950	3	32
Worcester	Evesham and Alcester, Evesham District	171	250	5	11
	Inning's Lane	101	50	5	20
	Kidderminster	2,169	800	5	
	Upton-on-Severn	625	350	4	31
York	Bradford and Wakefield	2,710	1,500	4	12
	Harrogate and Hewick, and Ripon and Pateley Bridge (united).	1,452	925	5	8, 16
	Hull and Beverley	1,218	575	2½	56
	Rochdale to Halifax and Elland	4,395	1,830	5	60
	Sedbergh	600	806	4	37
Denbigh	Llanrwst	103	100	5	62
	Wrexham, Ruabon, and Llangollen	836	2,024	4	13

Date of Act.	Title of Act.
52 G. 3. c. xxvii.	1. An Act to continue the term, and alter and enlarge the powers of an Act passed in the twenty-third year of His present Majesty, for completing the road from Cirencester, in the county of Gloucester, through Tetbury to Woefield Corner, and a road from thence to or near Lambridge, near the city of Bath, and for other purposes relating thereto; and also to repair a certain road from Duffton to Underbridge, in the parish of Shipton Moigne, in the said county.

Date of Act.	Title of Act.
53 G. 3. c. vi.	2. An Act for repairing the road from the city of Coventry to the Rugby Turnpike Road in the parish of Wolvey in the county of Warwick.
53 G. 3. c. xli.	3. An Act for more effectually repairing the road from the Horseshoe Corner in Godmanchester in the county of Huntingdon to the South-east End of Castle Street in the town of Cambridge in the county of Cambridge.
53 G. 3. c. cxxviii.	4. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing the road from Cherrill, through Calne, to Studley Bridge, and other Roads therein mentioned, in the county of Wilts.
54 G. 3. c. i.	5. An Act to continue and amend two Acts of the thirty-eighth and forty-third years of His present Majesty, for more effectually repairing that part of the roads from Manchester to Rochdale, Bury, and Radcliffe Bridge, all in the county palatine of Lancaster, which is called The Manchester District, and for making and maintaining a new branch of road to communicate therewith.
54 G. 3. c. xv.	6. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing the road from the Warwick Road near Solihull to the guide post in Kenilworth, and from Stonebridge, to meet the aforesaid road at Balsall Common, in the county of Warwick, so far as respects the said road from Stonebridge to Balsall Common, and from thence to the said town of Kenilworth.
54 G. 3. c. lxxxiv.	7. An Act for repairing the road from Aulcester to Wootton Wawen, in the county of Warwick.
54 G. 3. c. cci.	8. An Act for repairing the roads from Harrowgate through Ripley and Ripon to Hutton Moor, and from Kirkby Hill Moor to Ripon, in the county of York.
57 G. 3. c. xxvi.	9. An Act for amending the roads leading from Basingstone near Bagshot, through Farnham in the county of Surrey, and Alton and New Alresford, to Winchester in the county of Southampton; *so far as the same relates to the Lower District.*
59 G. 3. c. xix.	10. An Act for enlarging the term and powers of an Act of His present Majesty, for repairing the road leading from a place called Morton's Corner, in the town of Wellingborough, in the county of Northampton, to the east end of Abington Street in the town of Northampton.
59 G. 3. c. xlvi.	11. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing the road from Evesham Bridge, in the county of Worcester, to Alcester, in the county of Warwick.
59 G. 3. c. lxxx.	12. An Act for more effectually repairing and improving the road from Bradford to Wakefield, in the West Riding, in the county of York.
1 G. 4. c. xlv.	13. An Act for more effectually repairing and improving the road from the town of Pool, in the county of Montgomery, through Oswestry, in the county of Salop, to Wrexham, in the county of Denbigh, and several other roads therein mentioned in the said counties, and in the county of Merioneth; and for making several new branches of roads to communicate with the said roads in the counties of Salop, Montgomery, and Denbigh.
1 G. 4. c. lxx.	14. An Act for continuing and amending three Acts of their Majesties King George the Second and King George the Third, for repairing the roads from Hertford to Broadwater, and from Ware to Walkern, all in the county of Hertford.
1 G. 4. c. lxxix.	15. An Act for repairing the road from Chatteris Ferry, through Somersham, to the Crown Inn in Saint Ives, and also the road branching out of the said road near Stock's Bridge through Needingworth to Hermitage Bridge, in the parish of Earith, in the county of Huntingdon.

Date of Act.	Title of Act.
1 & 2 G. 4. c. xi.	16. An Act for enlarging the term and powers of several Acts of King George the Second, and of His late Majesty King George the Third, for repairing the high road from the borough of Ripon, by Ingram Bank, to the town of Pateley Bridge, in the county of York.
1 & 2 G. 4. c. xiii.	17. An Act for repairing the roads from Stratford-upon-Avon in the county of Warwick, through Alcester and Feckenham, to Bradley Brook, in the county of Worcester, and other roads therein mentioned in the same counties.
1 & 2 G. 4. c. liv.	18. An Act for continuing and amending two Acts of His late Majesty, for repairing the roads from Gander Lane, in the county of Derby, to Sheffield, in the county of York, and from Mosbrough Green to Clown, both in the said county of Derby; and also for widening and altering certain parts of the said roads, and making and maintaining certain branches of road communicating therewith.
1 & 2 G. 4. c. lxxxii.	19. An Act for repairing part of the great road from Gloucester to Bristol, and certain roads through and near the towns of Berkeley, Dursley, Wotton-under-edge, and Stroud, and other roads therein mentioned, in the counties of Gloucester and Wilts.
1 & 2 G. 4. c. xci.	20. An Act for more effectually repairing several roads leading from Kidderminster in the county of Worcester, and several other roads connected therewith, in the counties of Worcester, Stafford, and Salop.
3 G. 4. c. xciii.	21. An Act for repairing, altering, and improving the road from the Stone Pillar or Cross Hand in the parish of Chippenham in the county of Wilts, to or near to Knox Bridge in the parish of Westerleigh in the county of Gloucester; and several other roads therein mentioned, in the said counties of Gloucester and Wilts.
4 G. 4. c. xv.	22. An Act for repairing and improving the roads from the town of Stockbridge to the city of Winchester, and from the said city of Winchester to the top of Stephen's Castle Down, near the town of Bishop's Waltham in the county of Southampton, and from the said city of Winchester through Otterborne to Bar Gate in the town and county of the town of Southampton, and certain roads adjoining thereto; *so far as the same relates to the Stockbridge and Winchester Road.*
4 G. 4. c. lxxxii.	23. An Act for improving and keeping in repair the road from Tarporley in the county palatine of Chester to the south-east end of Acton Forge near Weverham in the same county.
5 G. 4. c. xiv.	24. An Act for more effectually repairing and improving so much of the road from Keswick in the county of Cumberland, by Dunmail Raise and Ambleside to Kirkby-in-Kendal in the county of Westmorland, as is situate in the said county of Westmorland; and also the road from Plumbgarth's Cross, near Kirkby-in-Kendal aforesaid, to the Lake called Windermere, in the county of Westmorland.
5 G. 4. c. xxiv.	25. An Act for amending, repairing, and maintaining the road from Sandon in the county of Stafford to Bullock Smithy in the county of Chester, and from Hilderstone to Draycott-in-the-Moors, and from Wetley Rocks to Tean in the said county of Stafford.
5 G. 4. c. xxv.	26. An Act for improving and keeping in repair the road from Span Smithy in the county of Chester to Talk in the county of Stafford.
5 G. 4. c. cii.	27. An Act for repairing the road from the city of Durham to Tyne Bridge, and for making and maintaining a collateral branch, and certain other branches, to communicate respectively with certain parts of the said road in the parishes of Chester-le-Street and Gateshead, all in the county of Durham.

Date of Act.	Title of Act.
6 G. 4. c. xliii.	28. An Act for more effectually repairing and widening the road from Flimwell Vent in the county of Sussex, through Highgate in the county of Kent, and the parishes of Sandhurst, Newenden, and Northiam, to Taylor's Corner in the parish of Rye in the county of Sussex; and from Highgate aforesaid to Cooper's Corner in the county of Sussex; and also a piece of road communicating with the said road, called Whitebread Lane in the said county.
6 G. 4. c. xlv.	29. An Act for more effectually repairing and improving certain roads passing through Princes Risborough in the county of Buckingham, and communicating with Aylesbury and Great Marlow in the said county, and Thame in the county of Oxford.
6 G. 4. c. lxxx.	30. An Act for more effectually repairing, widening, altering, and improving the road from the borough of Leicester to the town of Lutterworth in the county of Leicester.
6 G. 4. c. cliii.	31. An Act for repairing, improving, and keeping in repair several roads leading to and from the town of Upton-upon-Severn in the county of Worcester.
7 G. 4. c. xv.	32. An Act for maintaining and improving the road leading from Pengate in the parish of Westbury to a place formerly called Price's Warren Gate, at Tinhead in the parish of Edington in the county of Wilts, and other roads near or adjoining the said roads in the counties of Wilts and Somerset.
7 G. 4. c. xx.	33. An Act for amending an Act of His present Majesty, for repairing the road from Sandon in the county of Stafford to Bullock Smithy in the county of Chester, and from Hilderstone to Draycott-in-the-Moors, and from Wetley Rocks to Tean, in the county of Stafford; so far as relates to the Macclesfield District of the road, and for making a diversion of road in the said district.
7 G. 4. c. xxii.	34. An Act for repairing the road from Birmingham to Watford Gap in the parish of Sutton Coldfield in the county of Warwick, and other roads communicating therewith.
7 G. 4. c. xxiii.	35. An Act for making and maintaining a turnpike road from Arrow in the county of Warwick to Pot Hooks End in the county of Worcester, and from Dunnington in the said county of Warwick to Crabs Cross in the said county of Worcester.
7 G. 4. c. xxvii.	36. An Act for more effectually repairing, widening, and improving the road from the city of Norwich to Scole Bridge in the county of Norfolk.
7 G. 4. c. lxxii.	37. An Act for more effectually repairing the roads from Kirkby Steven High-lane-head, through Sedbergh, to Greeta Bridge, and other roads communicating therewith, in the several counties of Westmoreland, Lancaster and York; and for diverting, extending, and altering some of the said roads.
7 G. 4. c. lxxiii.	38. An Act for repairing the road from the Thirty-three Mile Stone in the parish of Ruscombe in the county of Berks towards Reading, to a place called the Seven Mile Stone in the parish of Beenham in the same county, and a certain other road communicating therewith.
7 & 8 G. 4. c. lii.	39. An Act for more effectually repairing the road from Speenhamland in the county of Berks, to Marlborough in the county of Wilts, so far as relates to the Marlborough district of the said road.
7 & 8 G. 4. c. lxvii.	40. An Act for repairing the road from Barton Waterside House to Riseham Hedge Corner, and other roads in the county of Lincoln connected therewith.
7 & 8 G. 4. c. ci.	41. An Act for repairing and improving certain roads leading to and from Callington in the county of Cornwall.

Date of Act.	Title of Act.
9 Geo. 4. c. cv. -	42. An Act for more effectually amending and improving the road from Northwich to the Guide Post heretofore upon Delamere Forest (now the parish of Delamere), near Kelsall Hill, in the county palatine of Chester.
10 G. 4. c. lv. -	43. An Act for more effectually repairing the road from Tunbridge Wells in the county of Kent to Uckfield in the county of Sussex.
10 G. 4. c. xciii. -	44. An Act for more effectually repairing and improving several roads which lead to and through the town and borough of Chard in the county of Somerset, and for making and maintaining a new road from Chard to Drempton in the county of Dorset.
11 G. 4. c. vii. -	45. An Act for repairing and improving the road from the Nottingham and Mansfield turnpike road, through Kirkby and Pinxton to Carter Lane, and to the colliery near Pinxton Green, in the counties of Nottingham and Derby.
11 G. 4. c. lxxxvi. -	46. An Act for amending an Act of the last session, intituled "An "Act for more effectually repairing and improving several roads "which lead to and through the town and borough of Chard in the "county of Somerset, and for making and maintaining a new road "from Chard to Drempton in the county of Dorset;" and for making and maintaining other roads communicating with the said roads in the counties of Somerset, Devon, and Dorset.
11 G. 4. c. xciv. -	47. An Act for repairing the road from Birmingham through Warwick and Warmington, in the county of Warwick, to the utmost limits of the said county on Edgehill.
1 W. 4. c. vi. - -	48. An Act for more effectually repairing and otherwise improving the road from the Post Road near Faversham, by Bacon's Water, through Ashford to Hythe, and from Bacon's Water to Castle Street in the city of Canterbury, all in the county of Kent.
1 W. 4. c. xxxiv. -	49. An Act for more effectually repairing and improving the road from Liverpool to Preston in the county palatine of Lancaster.
1 W. 4. c. lxv. -	50. An Act for more effectually repairing the road from Bishopsgate Bridge in the city of Norwich to the Caister Causeway in the county of Norfolk.
1 & 2 W. 4. c. xx. -	51. An Act for more effectually repairing and otherwise improving the several roads from the South Gate in the borough of King's Lynn into the parishes of East Walton, Narborough, Stoke Ferry, and Downham Market, in the county of Norfolk.
2 W. 4. c. xxii. -	52. An Act for more effectually repairing the road leading from Boroughbridge in the county of York to the city of Durham, and for making and maintaining certain deviations therein; *so far as the same relates to that part of the road situate in the county of Durham.*
2 W. 4. c. xxxiii. -	53. An Act for repairing the road from Birmingham (through Elmdon) to Stonebridge in the county of Warwick.
2 W. 4. c. xxxiv. -	54. An Act for more effectually repairing the road from the Sessions House in the town of Buckingham to Hanwell in the county of Oxford; *so far as the same relates to the Upper Division.*
3 W. 4. c. lviii. -	55. An Act for more effectually repairing the several roads leading from the borough of Ledbury in the county of Hereford, and the road from the parish of Bromesberrow to the road from Gloucester to Worcester, and for making several roads to communicate therewith.
3 W. 4. c. xciii. -	56. An Act for maintaining the roads from the town of Kingston-upon-Hull to the town of Beverley in the East Riding of the county of York, and from Newland Bridge to the west end of the town of Cottingham in the same riding.

Date of Act.	Title of Act.
4 W. 4. c. xxix. -	57. An Act for more effectually amending, widening, and repairing the road from Yarmouth Bridge, through the hamlet of Southtown otherwise Little Yarmouth, to Gorleston in the county of Suffolk.
5 W. 4. c. xxv. -	58. An Act for more effectually repairing the Darlington and West Auckland and the Cockerton Bridge and Staindrop Roads in the county of Durham, and for consolidating the trusts thereof.
6 W. 4. c. viii. -	59. An Act for repairing and maintaining the road from Rochdale in the county palatine of Lancaster to Halifax and Ealand in the West Riding of the county of York.
6 W. 4. c. lxxxiii. -	60. An Act for more effectually improving and maintaining the turnpike road leading from the Cow Cawsey near the town of Newcastle-upon-Tyne to the town of Belford, and from thence to Buckton Burn in the county of Northumberland.
7 W. 4. c. xxxv. -	61. An Act for more effectually repairing, improving, and maintaining certain roads leading to and from the town of Llanrwst in the county of Denbigh.
1 Vict. c. xvii. -	62. An Act for repairing, amending, and maintaining the road from Shrewsbury, through Ellesmere in the county of Salop, to Wrexham in the county of Denbigh, and other roads branching out of the same; *so far as the same relates to the Wem Division of such roads.*
1 Vict. c. xli. - -	63. An Act to alter, amend, and enlarge the powers and provisions of an Act passed in the seventh year of the reign of His late Majesty King George the Fourth, intituled "An Act for repairing the road "from the Thirty-three Mile Stone in the parish of Ruscombe in the "county of Berks, towards Reading, to a place called the Seven "Mile Stone, in the parish of Beenham in the said county, and a "certain other road communicating therewith."
2 Vict. c. xxxiii. -	64. An Act for repairing the road from Dover in the county of Kent, through Deal, to Sandwich in the said county.
6 & 7 Vict. c. xci. -	65. An Act for more effectually repairing the road from the new wall on the parade in Castleton in the parish of Rochdale, through Middleton, to the Mere Stone in Great Heaton, and to the town of Manchester, all in the county palatine of Lancaster; and for making a diversion in the line of such road.
8 Vict. c. ix. - -	66. An Act for repairing the road from the south end of Sparrows Herne on Bushey Heath, through Watford, Berkhampstead Saint Peter, and Tring, in the county of Hertford, into the town of Aylesbury in the county of Buckingham.
11 & 12 Vict. c. li. -	67. An Act for repealing an Act of the ninth year of the reign of His Majesty King George the Fourth, intituled "An Act for making, "repairing, and improving certain roads leading to and from Truro "in the county of Cornwall," and for making other provisions in lieu thereof; for forming, vesting, and improving certain roads, and for continuing and extending the Truro Turnpike Trust.
12 & 13 Vict. c. xliv. -	68. An Act for consolidating the trusts of the Truro turnpike roads, and the Penryn and Redruth turnpike roads in the county of Cornwall, and for making a new turnpike road from Bosvigo Bridge to the turnpike road from Truro to Redruth, and for making the road or highway from Ferris Town to Bosvigo Bridge a turnpike road, and for maintaining all such roads; and for other purposes.

CHAP. 74.

An Act to confirm the Award under "The Curragh of Kildare Act, 1868," and for other purposes relating thereto. [9th August 1870.]

WHEREAS by "The Curragh of Kildare Act, 1868," it was enacted that three commissioners should be appointed to ascertain and decide, amongst others, the following things; namely, 31 & 32 Vict. c. 60.

What (if any) rights of common of pasture, rights of way, or other rights (except the rights of the Crown and public rights of way) exist in, over, or affecting the Curragh, or any part thereof, either by grant, charter, or prescription;

To what persons, and for what terms, estates, or interests, the rights aforesaid respectively belong;

What (if any) are the lands in respect of which the rights aforesaid respectively are exerciseable;

What (if any) compensation should be given to any party whose rights are or may be injuriously affected by the said Act; and

What (if any) public rights of way exist in, over, or affecting the Curragh or any part thereof:

And whereas Henry H. Joy, Esquire, one of Her Majesty's counsel, Alexander Stewart, Esquire, and Edmund A. Mansfield, Esquire, were duly appointed the Curragh Commissioners in manner provided by the said Act, and are hereafter referred to by the term "the Commissioners:"

And whereas the Commissioners, having given the necessary notices and taken the steps required by the said Act, proceeded in discharge of their duties as by the said Act directed, and in pursuance of the provisions of the said Act did hold meetings at such places and at such times as they considered most convenient for the accommodation of claimants and suitors, and did hold such a number of meetings in the neighbourhood of the Curragh as were sufficient for hearing local claimants:

And whereas, after hearing all claimants and suitors in manner by the said Act directed, the Commissioners did decide upon all claims made before them:

And whereas no appeal was made by any claimant or objector admitted to be heard before the Commissioners:

And whereas the Commissioners thereupon, in manner by the said Act prescribed, did on the thirtieth day of June one thousand eight hundred and sixty-nine duly make their award in duplicate, which award is set forth in the schedule to this Act annexed, and did, in accordance with the provisions of the said Act, on the first day of July one thousand eight hundred and sixty-nine, present one part of the said award to the chief secretary to the Lord Lieutenant of Ireland, and did deposit the other part with the clerk of the peace for the county of

Kildare, and did also publish a copy of such award once in each of three successive weeks next after the making thereof in the Dublin Gazette and in the Leinster Express, a newspaper circulating in the county of Kildare:

And whereas it is provided by the said Act that "the chief "secretary to the Lord Lieutenant shall as soon as conveniently "may be after the publication of the said award take all "necessary steps for the confirmation of the same by Act of "Parliament, and that previously to such confirmation the "said award shall not be of any validity whatever:"

And whereas it is expedient that the said award should be so confirmed, and further provision made in relation thereto:

May it therefore please your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this Parliament assembled, and by the authority of the same, as follows:

Award confirmed.

1. The award, a copy of which is set forth in the schedule to this Act annexed, is hereby confirmed, and made effectual to all intents and purposes, and shall be as binding and of the like force and effect as if the provisions of the same had been expressly enacted in this Act.

Map deposited with award at office of clerk o the peace to be deemed part of the award.

2. The map referred to in and deposited with the copy of the said award at the office of the clerk of the peace for the county of Kildare on the thirtieth day of June one thousand eight hundred and sixty-nine, showing the rights of way existing in, over, or affecting the Curragh, shall be deemed to be and shall form part of the said award.

be depastured.

3. No animal other than sheep shall at any time after the passing of this Act depasture on the Curragh, or be turned out to depasture thereon.

Sheep to be marked.

4. No sheep shall depasture on the Curragh, or be turned out to depasture thereon, unless they be respectively marked in a distinctive manner, and according to such regulations as the ranger may from time to time direct.

Power to appoint additional bailiffs.

5. It shall be lawful for the ranger of the Curragh, by and with the sanction of the Lords Commissioners of Her Majesty's Treasury, to appoint assistant bailiffs (not exceeding four in number) to assist the deputy ranger in the discharge of his duties, and for the protection of the said Curragh, at such salaries and remuneration as may be approved by the said Lords Commissioners of the Treasury.

Ranger to have power of occupier in relation to trespasses.

6. The ranger of the Curragh shall, for the purpose of preventing the trespass of animals upon the Curragh, have and may exercise all the same rights as if he were the occupier of the same, and shall, for the purposes of section twenty of "The Summary Jurisdiction (Ireland) Act, 1851," be deemed to be the occupier of the Curragh.

Short title.

7. This Act may be cited for all purposes as "The Curragh of Kildare Act, 1870."

SCHEDULE to which the foregoing Act refers.

"Curragh of Kildare Act, 1868."

AWARD OF COMMISSIONERS.

WHEREAS by an Act passed in the session of Parliament in the thirty-first and thirty-second years of Her present Majesty, intituled "An Act to make better provision for the management and use of the Curragh of Kildare," it is enacted that three commissioners should be appointed to ascertain and decide, amongst other things, the following, namely:—

What (if any) rights of common of pasture, rights of way, or other rights (except the rights of the Crown and public rights of way) exist in, over, or affecting the Curragh, or any part thereof, either by grant, charter, or prescription:

To what persons and for what terms, estates, or interests the rights aforesaid respectively belong:

What (if any) are the lands in respect of which the rights aforesaid respectively are exerciseable:

What (if any) compensation should be given to any party whose rights are or may be injuriously affected by the said Act:

We, the Commissioners duly appointed, having taken the necessary steps and given the notices required by the said Act, and having heard and examined the evidence, oral and documentary, produced before us, do make our award, as follows:—

We have in the first schedule hereunto annexed, to be taken and considered as part of this our award, stated the names of the several persons on whose behalf claims have been made before us under the said Act, the townlands (county of Kildare) in which the lands are respectively situate, and in respect of which the claims have been made, the substance of each claim lodged and brought before us, the compensation claimed (if any), and the terms, estates, or interests, and number of acres, Irish plantation measure, in respect of which such claims are made, with our allowance or disallowance, wholly or in part, of such claims respectively.

We find that no rights of persons legally claiming under the said Act are substantially altered, varied, or injuriously affected by the said Act, and as a matter of fact on the evidence adduced before us, that no right to compensation has been established by any of the claimants, either in respect of the site of the camp, or the rifle-ground, or otherwise.

We further find that, from want of proper authority and neglect on the part of those having the care and management of the Curragh, numerous parties have, from time to time, without having any right so to do, pastured sheep on the Curragh, to the prejudice, loss, and injury of those parties who have acquired legal rights to pasture thereon. We find, from the evidence adduced before us, to such an extent has this taken place, that the pasturage of the Curragh has been rendered to a great extent useless, and that many of the persons whose claims to pasture are by this our award allowed have for many years past been deprived of the use of the pasturage on the Curragh, and it does not appear that the persons so deprived ever took any effective steps to remove those who so prejudicially interfered with the pasturage.

We further find that large quantities of sheep manure have been from time to time taken off the Curragh by divers parties without any right or privilege so to do; and that the removal of such manure has practically deteriorated the pasturage of the Curragh to a considerable extent.

We further find on the evidence adduced before us, that the right of use of pasturage for any animals other than sheep is unsustained, and that the pasturage on the Curragh is adapted for sheep only (such pasturage being supplementary to the lands in respect of which same is by this our award allowed); and, for the benefit of those entitled to the enjoyment of pasturage on the Curragh, we award accordingly that such pasturage shall be confined to sheep.

We further award that all persons whose claims of right to the use of a well or pond on the Curragh are by this our award recognised and allowed shall respectively enjoy such right and access to such well and pond in the way and by the means particularly shown in and by a map or plan lodged by us with the clerk of the peace for the county of Kildare.

In pursuance of the provisions of the said Act, and to prevent in future the cutting up and injuring of the pasturage of the Curragh, we prescribe, award, and determine that the specific ways in respect of rights of way (other than public rights of way) in, over, or affecting the Curragh, or any part thereof, shall be in the direction and lines particularly shown in and by the said map or plan so lodged by us in the office of the clerk of the peace for the said county of Kildare; such specific rights of way being those only which we have determined, and do hereby determine, as necessary and proper for convenience of the owners and occupiers of lands in respect of which such rights are exerciseable; and we accordingly award that all rights of way (other than public rights of way) in, over, or affecting the Curragh shall, after this our award be exerciseable only, in, along, or across the specific ways laid out on the said map; and that all ways (other than public ways, and herein-before referred to as such) in, over, or affecting the Curragh, except the specific ways aforesaid, shall be stopped up.

We further award that the tenants and occupiers of the lands in respect of which claims have been made and allowed by this our award are to be considered only as entitled to the common of pasture, rights of way, or other rights by this our award allowed, in right of their several landlords, and so long only as their interests as such tenants and occupiers respectively continue, and that such rights are not transferable apart from the occupation of the lands.

And we do by this our award ascertain and decide that the public rights of way existing in, over, or affecting the Curragh are those mentioned in the second schedule hereunto annexed, and to be taken as part of our award, and particularly shown in the said map.

We further award and determine that there are no other rights in or over the Curragh save those by this our award allowed.

In witness whereof we have this 30th day of June 1869 affixed our signatures hereto.

HENRY H. JOY,
ALEXANDER STEWART,
EDMUND A. MANSFIELD,
} Curragh Commissioners.

First Schedule.

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.		No. of Sheep allowed.
385	James Twigg -	Athgarvan and Blackrath.	Common of pasture -	Fee-simple under a Patent granting common of pasture on the Curragh— A. R. P. Blackrath - 247 0 16 Athgarvan - 153 3 4 Total - 400 3 20	Allowed (in respect of 372a.) pasturage of sheep for tenants in occupation of claimant's lands, with reversion of said pasturage to claimant; not exceeding 372 sheep.	
241	Laurence Keegan, sen.	Do. -	Common of pasture. Right of way.	Yearly tenant for 2a. 2r.	Allowed pasturage of sheep in respect of 2a. Access to public road allowed, as shown by the map before referred to.	2
329	Allen M'Donogh -	Do. -	Common of pasture -	Leaseholder, 36a. - -	Withdrawn.	
353	Joseph R. and Thomas B. Reeves.	Do. -	Common of pasture -	Leaseholder, 305a. -	Allowed (in respect of 305a.) pasturage of sheep for tenants in occupation of claimants' lands, with reversion of said pasturage to claimants during their tenure; not exceeding 305 sheep.	
12	William Belford -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way. Use of well on the Curragh.	Yearly tenant, 20a. -	Allowed pasturage of sheep in respect of 20a. Right of way disallowed. Use of well allowed by access, as shown by the map before referred to.	20
29	Andrew Brady -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way. Use of well and pond on the Curragh.	Yearly tenant, a house -	Disallowed.	
172	Michael Gannon -	Do. -	Common of pasture -	Tenant at will, 2½a. -	Allowed pasturage of sheep in respect of 2a.	2
234	Christopher Kenna	Do. -	Common of pasture -	Tenant at will, 1½a. -	Allowed pasturage of sheep in respect of 1a.	1
330	Allen M'Donough -	Do. -	Common of pasture -	Under a lease for lives renewable for ever, 53a.	Allowed pasturage of sheep in respect of 53a.	53
164	William Field -	Do. -	Common of pasture -	House and garden - -	Disallowed.	
284	Henry Mullaly -	Do. -	Common of pasture -	House and garden - -	Disallowed.	

These holdings form part of the 372a. in respect of which James Twigg's claim has been allowed.

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.		———	No. of Sheep allowed.
38	Michael Byrne -	Athgarvan and Blackrath—*cont.*	Common of pasture. Passage to well. Right of water.	Yearly tenant, 1a. 0r. 30p.	These holdings form part of the 372a. in respect of which James Twigg's claim has been allowed.	Withdrawn.	
45	John Buckley -	Do. -	Common of pasture. Right of way.	Yearly tenant, 8a. - -		Allowed pasturage of sheep in respect of 8a.	8
69	Catherine Cooney -	Do. -	Common of pasture -	Tenant at will, 1a. 1r. -		Allowed pasturage of sheep in respect of 1a.	1
116	Mary D'Arcy -	Do. -	Common of pasture. Right of way.	Tenant at will, 8a. - -		Allowed pasturage of sheep in respect of 8a.	8
136	Christopher Egan -	Do. -	Common of pasture -	Yearly tenant, 7a. - -		Allowed pasturage of sheep in respect of 7a.	7
149	Maria Farrell -	Do. -	Common of pasture. Right of way.	Tenant at will, 20a. -		Allowed pasturage of sheep in respect of 20a.	20
160	Patrick Fleming -	Do. -	Common of pasture. Right of way to public roads.	Yearly tenant, 6a. - -		Allowed pasturage of sheep in respect of 6a. Way to public roads allowed, as shown by the map before referred to.	6
162	Francis Fleming -	Do. -	Common of pasture. Right of way through the Curragh.	Tenant at will, 16a. -		Allowed pasturage of sheep in respect of 16a. Right of way disallowed.	16
167	Michael Houlahan -	Do. -	Place on Curragh for shoeing and hooping wheels. Way from claimant's house to stables to shoe horses.	Freehold, 2r. - -		Disallowed.	
170	John Geraty - -	Do. -	Common of pasture. Compensation for land taken by Camp. Right of way across Curragh to public roads. Way to and use of well and pond on Curragh.	Yearly tenant, 6a. - -		Allowed pasturage of sheep in respect of 6a. Compensation disallowed. Way to public roads, use of well and pond allowed, as shown by the map before referred to.	6
173	Edward Galaher -	Do. -	Same as above - -	Yearly tenant, house and garden.		Common of pasture disallowed. Compensation disallowed. Way to public roads, use of well and pond allowed, as shown by the map before referred to.	
191	Michael Hyland -	Do. -	Common of pasture. Right of way through Curragh.	Yearly tenant, 8a. 2r. -		Allowed pasturage of sheep in respect of 8a. Right of way disallowed.	8
246	Thomas Keegan -	Do. -	Common of pasture. Compensation for loss of depositing manure on Curragh.	Freehold cottage and garden.		Disallowed.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest and Number of Acres (Irish) in respect of which Claim made.		—	No. of Sheep allowed.
261	John Hill Linde -	Athgarvan and Blackrath—*cont.*	Common of pasture -	Lease for claimant's life, 157a.	These holdings form part of the 372a. in respect of which James Twigg's claim has been allowed.	Allowed (in respect of 157a.) pasturage of sheep for tenants in occupation of claimant's lands, with reversion of said pasturage to claimant during his tenure; not exceeding 157 sheep. Compensation disallowed.	
262	Henry Eyre Linde -	Do. -	Common of pasture -	Assignee of lease for one life, aged 70 years, 46a.		Allowed pasturage of sheep in respect of 46a. Compensation disallowed.	46
275	Patrick Mooney -	Do. -	Common of pasture -	Yearly tenant, 7a. - -		Allowed pasturage of sheep in respect of 7a.	7
298	William Moran -	Do. -	Common of pasture -	Yearly tenant, 1a. 2r. -		Allowed pasturage of sheep in respect of 1a.	1
299	Paul Moran - -	Do. -	Common of pasture -	Yearly tenant, 2a. - -		Allowed pasturage of sheep in respect of 2a.	2
351	John Power -	Do. -	Common of pasture. Right of way through Curragh.	Yearly tenant, 7a. - -		Allowed pasturage of sheep in respect of 7a. Right of way disallowed.	7
398	Thomas Whyte -	Do. -	Common of pasture -	Yearly tenant, 30a. -		Allowed pasturage of sheep in respect of 30a.	30
401	Martin Whelan -	Do. -	Common of pasture -	Yearly tenant, 12a. 3r. 12p.		Allowed pasturage of sheep in respect of 12a.	12
328	Allen M'Donogh -	Do. -	Common of pasture -	Fee-simple, 1r. - -		Claim withdrawn.	
368	Patrick Salmon -	Do. -	Common of pasture. Right of way to a farm at Old Kilcullen.	A freehold house - -		Disallowed.	
239	Laurence Keegan, jun.	Do. -	Common of pasture -	In fee, house, 1r. - -		Disallowed.	
213	Charles R. Joynt -	Ballysax -	Common of pasture - -	Fee-farm, 1,111a. 0r. 33p. -		Allowed (in respect of 872a.) pasturage of sheep for tenants in occupation of claimant's lands, with reversion of said pasturage to claimant; not exceeding 872 sheep.	
1	Richard Artary -	Do. -	Common of pasture -	Yearly tenant, 48a. - -		Allowed pasturage of sheep in respect of 47a.	47
11	Maurice Beahan -	Do. -	Common of pasture -	Leaseholder for 87a. - -		Allowed pasturage of sheep in respect of 87a.	87
27	John Brady - -	Do. -	Common of pasture -	Leaseholder for 14a. - -		Allowed pasturage of sheep in respect of 17a.	17
28	Laurence Brady -	Do. -	Common of pasture -	Yearly tenant for 3¼a. - -		Allowed pasturage of sheep in respect of 12a. under G. S. Meares, and 9a. under C. R. Joynt.	21

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.		No. of Sheep allowed.
209	Patrick Ivery -	Ballysax—*cont.*	Common of pasture -	Yearly tenant, 11a. Right of way	Allowed pasturage of sheep in respect of 11a.	11
210	Patrick Ivery -	Do. -	Common of pasture -	Yearly tenant, 4a. - -	Allowed pasturage of sheep in respect of 4a.	4
211	Mary Ivery - -	Do. -	Common of pasture -	Yearly tenant, 12a. -	Allowed pasturage of sheep in respect of 12a.	12
308	Thomas Moore -	Do. -	Common of pasture -	Leaseholder, 25a. - -	Allowed pasturage of sheep in respect of 25a.	25
48	Maurice Burke -	Do. -	Common of pasture -	Yearly tenant, 2a. 2r. 35p. -	Disallowed.	
49	Laurence Cardiff -	Do. -	Common of pasture -	Yearly tenant for part, 3a. - / Leaseholder for part, 5a. -	Disallowed.	
50	Mathew Cardiff -	Do. -	Common of pasture. Compensation for land taken by Camp.	Leaseholder for part / Yearly tenant for part } 20a. -	Disallowed.	
231	John Keane -	Do. -	Common of pasture -	Leaseholder, 70a. 2r. 6p. - -	Allowed pasturage of sheep in respect of 70a.	70
232	John Keane -	Do. -	Common of pasture -	Leaseholder, 14a. 3r. - -	Allowed pasturage of sheep in respect of 14a.	14
247	James Keenan -	Do. -	Common of pasture -	Yearly tenant, 4a. 3r. 30p. -	Allowed pasturage of sheep in respect of 4a.	4
270	Michael Lawler -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across the Curragh.	Yearly tenant, 18a. - -	Disallowed.	
287	George S. Meares -	Do. -	Common of pasture. Compensation for land taken by Camp. Right of way across Curragh.	Leaseholder, 125a. 2r. - -	Allowed pasturage of sheep in respect of 4a., formerly occupied by James Conlan. Allowed (in respect of 12a.) pasturage of sheep for tenant (claim No. 28) in occupation of claimant's lands, with reversion to claimant during his lease; not exceeding 12 sheep. Compensation disallowed. Right of way disallowed.	4
294	Lewis J. Moran -	Do. -	Common of pasture, and compensation for land taken by Camp, 180*l*.	Leaseholder, 72a. - -	Allowed pasturage of sheep in respect of 72a. Compensation disallowed.	72
293	John Moran - -	Do. -	Common of pasture -	Leaseholder, 71a. 3r. 16p. -	Allowed pasturage of sheep in respect of 71a.	71
295	Cornelius Moran -	Do. -	Common of pasture -	Yearly tenant, 7a. 3r. 2p. -	Allowed pasturage of sheep in respect of 7a.	7

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
297	Patrick Moran -	Ballysax—*cont.*	Common of pasture -	Yearly tenant, 27a. - -	Allowed pasturage of sheep in respect of 27a.	27
5	James Beahan -	Do. -	Common of pasture -	Leaseholder, 72a. 2r. 4p. - -	Allowed pasturage for sheep in respect of 72a.	72
79	Paul Cullen -	Do. -	Common of pasture -	Yearly tenant, 13a. - -	Allowed pasturage of sheep in respect of 13a.	13
113	William Drake -	Do. -	Common of pasture. Right of way.	Yearly tenant, 7a. 2r. - -	Disallowed.	
193	Thompson Harrison	Do. -	Privilege of exercising and training racehorses on Curragh.	Leaseholder, 25a. - -	Disallowed.	
78	John Cullen -	Do. -	Right of way - -	- - - - -	Withdrawn.	
208	Martin Ivery -	Do. -	Common of pasture. Right of way to road and well. Privilege of shoeing wheels on Curragh.	Yearly tenant, 1a. 2r. - -	Disallowed.	
379	Mary Toole - -	Do. -	Common of pasture -	Yearly tenant, 7a. - -	Disallowed.	
402	James Ward -	Do. -	Common of pasture -	Yearly tenant, 1a. 3r. 27p. -	Allowed pasturage of sheep in respect of 1a.	1
290	John F. Meekings -	Do. -	Common of pasture. Right of way from claimant's lands to public road.	Part held for lives renewable; part for shorter terms, 222a.	Allowed pasturage of sheep in respect of 222a. in Ballysax. Access to public road allowed, as shown by the map before referred to.	222
400	Rev. Geo. B. Wheeler	Do. -	Common of pasture -	For life as rector and vicar of Ballysax. Glebe land, 19a.	Disallowed.	
25	Mrs. Adelaide Brennan.	Do. -	Common of pasture. Right of training 45 horses on the Curragh. Right of way. Compensation for pasture 200*l.* Compensation for training 1,500*l.*	Tenant for life under settlement of a lease for lives, converted under Renewable Leasehold Conversion Act, 21a.	Claim for pasturage disallowed. Right of training horses disallowed. Compensation disallowed.	
77	John Cullen - -	Do. -	Common of pasture -	Leaseholder, 75a., under Robert Annesly Meekings.	Allowed pasturage of sheep in respect of 75a.	75
350	Joseph Parker -	Do. -	Common of pasture -	Occupier, 2a. - - -	Disallowed.	
405	W. M. Woodroofe and J. L. Holmes.	Do. -	Common of pasture. Compensation for rights injuriously affected by Act.	Fee-farm, 93a. 0r. 30p. - -	Withdrawn.	
348	Peter De Pentheney O'Kelly.	Do. -	Common of pasture -	In fee under Patent, 40a. -	Allowed (in respect of 40a.) pasturage of sheep for tenants (claims Nos. 77, 33, and 44) in occupation of claimant's lands, with reversion of said pasturage to claimant; not exceeding 40 sheep.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	—	No. of Sheep allowed.
77	John Cullen	Ballysax—*cont.*	Common of pasture	Leaseholder, 16a.	Allowed pasturage of sheep in respect of 13a.	13
33	Charles Byrne	Do.	Right of way	Leaseholder, 25a.	Withdrawn in favour of landlord's claim. Allowed pasturage of sheep in respect of 25a.	25
44	John Byrne	Do.	Right of way	Leaseholder, 2a.	Withdrawn in favour of landlord's claim. Allowed pasturage of sheep in respect of 2a.	2
83	Michael Conlan	Do.	Common of pasture	Yearly tenant, 6a.	Disallowed.	
393	John Walsh	Do.	Common of pasture	Freehold house and yard	Withdrawn.	
76	Patrick Conroy	Do.	Common of pasture	Freehold house and garden	Withdrawn.	
39	Thomas Byrne	Do.	Common of pasture	Yearly tenant	Disallowed.	
20	Martin Boyle	Do.	Common of pasture. Right of exercising a horse.	Freehold cottage and yard	Disallowed.	
331	John M'Gann	Do.	Common of pasture	Yearly tenant	Disallowed.	
325	Laurence M'Dermott	Do.	Common of pasture	Freehold cottage and garden	Withdrawn.	
285	James Murray	Do.	Common of pasture	Freehold	Withdrawn.	
212	Anne Jackson	Do.	Common of pasture	House and garden	Disallowed.	
63	Trustees and Guardians of Lord Clifden.	Brownstown	Common of pasture. 5,000*l.* compensation for occupation of Curragh by Camp, and obstruction of right of training horses on Curragh.	Fee, 603a.	Allowed (in respect of 419a. pasturage of sheep for tenants in occupation of claimants' land) with reversion of said pasturage to claimants; not exceeding 419 sheep. Remainder of claim disallowed.	
111	Laurence Donlevy	Do.	Common of pasture	Yearly tenant, 30a.	Allowed pasturage of sheep in respect of 30a.	30
202	Denis Haslan	Do.	Common of pasture	Yearly tenant, 2a. 1r. 35p.	Disallowed.	
227	Michael Kelly	Do.	Common of pasture	Yearly tenant, 45a.	Allowed pasturage of sheep in respect of 45a.	45
248	George Knox	Do.	Common of pasture. 500*l.* compensation for injury to said right by the "Curragh of Kildare Act, 1868." Right to exercise 15 horses on Curragh, and 2,000*l.* compensation for injury to said right.	Yearly tenant with agreement with agent for a lease, 63a. 2r. 30p.	Allowed pasturage of sheep in respect of 63a. Remainder of claim disallowed.	63
118	Anne Dooney	Do.	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh to Newbridge.	Yearly tenant, 13a.	Allowed pasturage of sheep in respect of 10a. Remainder of claim disallowed.	10

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
123	Martin Doogan -	Brownstown —*cont.*	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh to Newbridge.	Yearly tenant, 2a. - - -	Disallowed.	
124	Martha Dalton -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, 1a. - - -	Disallowed.	
129	Daniel Dooney -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, 2a. 1r. 10p. - -	Disallowed.	
137	Frederick FitzGerald	Do. -	Common of pasture -	Freehold, house and yard - -	Disallowed.	
150	Nicholas Flood -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across the Curragh.	Yearly tenant, 1a. - - -	Disallowed.	
154	William Flood -	Do. -	Common of pasture -	Yearly tenant, 17a. 1r. 35p. -	Allowed pasturage of sheep in respect of 17a.	17
158	William Foran -	Do. -	Common of pasture. Right of way across Curragh.	Yearly tenant, house and garden	Disallowed.	
161	John Fleming -	Do. -	Common of pasture. Right of way across Curragh.	Yearly tenant, house and garden	Disallowed.	
178	Michael Grace -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, 6a. - -	Disallowed.	
199	Ellen Hannon -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, house and garden	Disallowed.	
249	Patrick Kearey -	Do. -	Common of pasture -	Yearly tenant, 74a. - -	Allowed pasturage of sheep in respect of 74a.	74
339	Jane Owens (widow)	Do. -	Common of pasture -	Yearly tenant, 18a. - -	Disallowed.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.		No. of Sheep allowed.
340	Jane Farrell -	Brownstown —*cont.*	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way.	Yearly tenant, 5a. - -	Disallowed.	
363	Thomas Shaw -	Do. -	Common of pasture -	Yearly tenant, 25a. - -	Disallowed.	
380	Lawrence Toole -	Do. -	Common of pasture -	Yearly tenant, 10a. 2r. - -	Allowed pasturage of sheep in respect of 10a.	10
375	William Troy -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp.	Yearly tenant, 1a. -	Disallowed.	
376	William Troy -	Do. -	Common of pasture -	Freehold, house and premises -	Disallowed.	
144	Hannah Farrell -	Do. -	Common of pasture. Right of training and exercising horses on Curragh.	Yearly tenant, 12a. 3r. 27p. -	Disallowed.	
13	Thomas Belford -	Do. -	Common of pasture -	Yearly tenant, house and 1a. -	Disallowed.	
24	Jane Bowen -	Do. -	Common of pasture -	Leaseholder, 4a. - -	Allowed pasturage of sheep in respect of 4a.	4
34	John Byrne - -	Do. -	Common of pasture -	Freehold, cottage - -	Disallowed.	
40	Garrett Byrne -	Do. -	Common of pasture -	Yearly tenant, 6a. - -	Allowed pasturage of sheep in respect of 6a.	6
41	Thomas Byrne -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh. Compensation for being deprived of the sheep manure, value 30*l.* yearly.	Yearly tenant, house and 2r. -	Disallowed.	
59	Simon Caffrey -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, 2a. - -	Allowed pasturage of sheep in respect of 2a. Remainder of claim disallowed.	2
66	Michael Connolly -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp; and injury sustained by the erection of sewage works. Right of way across the Curragh.	Yearly tenant, 5a. - -	Disallowed.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
71	John Collis	Brownstown ¾—*cont.*	Common of pasture. Compensation for occupation of Curragh by Camp. Right of training and exercising horses. Right of way across Curragh.	Yearly tenant, 20a.	Allowed pasturage of sheep in respect of 7a. Remainder of claim disallowed.	7
83	Michael Conlan	Do.	Common of pasture	Yearly tenant, 8a.	Allowed pasturage of sheep in respect of 8a.	8
105	Mathew Doyle	Do.	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, 4a.	Disallowed.	
110	James Dowling	Do.	Common of pasture. Right of collecting and depositing sheep manure on Curragh.	Freehold, house and yard	Disallowed.	
201	Henry Hart	Do.	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, house and garden	Disallowed.	
203	Catherine Hyland	Do.	Common of pasture	Yearly tenant, 100a.	Allowed pasturage of sheep in respect of 100a.	100
207	James Igoe	Do.	Common of pasture. Right of passage across Curragh.	Yearly tenant, 1a. 3r. 16p.	Disallowed.	
263	Ellen Lynch	Do.	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Freehold, house	Disallowed.	
278	Patrick Mahon	Do.	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, house and garden	Disallowed.	
282	Thomas Millar	Do.	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, house and garden	Disallowed.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.		No. of Sheep allowed.
283	Mary Monaghan -	Brownstown —*cont.*	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh. Compensation for injury sustained by erection of sewage works in the vicinity of her stables.	Yearly tenant, 4a. - -	Disallowed.	
315	Mary Moore - -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, 1a. - -	Disallowed.	
324	James Murphy -	Do. -	Common of pasture -	Leaseholder and yearly tenant, 45a.	Disallowed.	
332	Edward M'Donnell	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp. Right of way across Curragh.	Yearly tenant, 4a. - -	Disallowed.	
352	Ellen Perry - -	Do. -	Same as above - -	Yearly tenant, 6a. - -	Allowed pasturage of sheep in respect of 6a. Remainder of claim disallowed.	6
80	Michael Clancy -	Do. -	Common of pasture. Compensation for occupation of Curragh by Camp and injuries by sewerage.	Yearly tenant, 37a. - -	Allowed pasturage of sheep in respect of 37a. Remainder of claim disallowed.	37
230	The Dean and Chapter of St. Bridget, Kildare.	Collicknock (including Gorteen and Glanbrettas) and Carna.	Common of pasture -	Owners in fee as an Ecclesiastical Corporation. Collicknock, &c. 77a. Carna, &c. - 110a. Total - 187a.	Allowed (in respect of 174a.) pasturage of sheep for tenants in occupation of claimants' lands, with reversion of said pasturage to claimants, not exceeding 174 sheep.	
67	Patrick Connolly -	Collicknock	Common of pasture -	These form part of the above 187a. Leaseholder, 9a. 3r. 30p. -	Allowed pasturage of sheep in respect of 9a.	9
92	Michael Dunne -	Do. -	Common of pasture -	Leaseholder, 32a. 1r. 30p. -	Allowed pasturage of sheep in respect of 32a.	32
93	Michael Dunne -	Do. -	Common of pasture. Right of way and use of water on the Curragh.	Leaseholder, 32a. 1r. 30p. -	Withdrawn.	
99	Patrick Dunne -	Do. -	Common of pasture -	Leaseholder, 5a. 2r. - -	Disallowed.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.		No. of Sheep allowed.
102	Martin Dunne -	Collicknock —*cont.*	Common of pasture -	These form part of the above 187a.	Leaseholder, 13a. 0r. 25p. -	Allowed pasturage of sheep in respect of 13a.	13
91	Martin Dunne -	Do. -	Common of pasture -		Leaseholder, 14a. - -	Withdrawn.	
169	James Grattan -	Do. -	Common of pasture -		Leaseholder, 16a. - -	Allowed pasturage of sheep in respect of 16a.	16
94a	Charles Dunne -	Do. -	Common of pasture -		Leaseholder, 9a. - -	Allowed pasturage of sheep in respect of 9a.	9
96	Patrick Dunne -	Do. -	Common of pasture -		Leaseholder, 5a. 2r. -	Withdrawn.	
114	Patrick Doucey -	Do. -	Common of pasture. Right of training horses on Curragh.		Yearly tenant, 3a. 3r. -	Withdrawn.	
115	Patrick Doucey -	Do. -	Common of pasture. Right of way across Curragh. Right of training horses on Curragh.		Yearly tenant, 4a. - -	Withdrawn.	
343	William Orford -	Carna -	Common of pasture. Right of way across Curragh.		Yearly tenant, 90a. -	Disallowed.	
2	Christopher Bagot -	Do. -	Common of pasture -		Leaseholder, 110a. - -	Allowed (in respect of 95a.) pasturage of sheep for tenants (claims Nos. 42 and 180) in occupation of claimant's lands, with reversion of said pasturage to claimant during his lease, not exceeding 95 sheep.	
42	John Byrne - -	Do. -	Common of pasture -		Tenant at will, 60a. -	Allowed pasturage of sheep in respect of 60a.	60
180	Thomas Grady -	Do. -	Common of pasture -		Tenant at will, 35a. -	Allowed pasturage of sheep in respect of 35a.	35
65	Nicholas Colton -	Bishop's land	Common of pasture -	Ecclesiastical Commissioners owners in fee.	Yearly tenant, 8a. - -	Allowed pasturage of sheep in respect of 8a.	8
372	Daniel Trainer -	Do. -	Common of pasture -		Yearly tenant, 2a. -	Disallowed.	
32	Henry Brereton -	Do. -	Common of pasture -		Yearly tenant, 4a. - -	Allowed pasturage of sheep in respect of 4a.	4
168	James Grattan -	- - -	Common of pasture -		Yearly tenant, 12a. 3r. 34p.	Allowed pasturage of sheep in respect of 12a.	12
67	Patrick Connolly -	Kildare lands	Common of pasture -		Leaseholder, 25a. 3r. 39p. -	Allowed pasturage of sheep in respect of 25a.	25
4	Patrick Bartley -	Rahilla -	Common of pasture -		Yearly tenant, 9a. 1r. 20p. -	Claim withdrawn.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.		No. of Sheep allowed.
100	John Dunne - -	Rahilla and Crocanure glebe.	Common of pasture -	Ecclesiastical Commissioners owners in fee. Yearly tenant— A. Rahilla - - 37 Crocanure Glebe 18 Total - 55	Allowed pasturage of sheep in respect of 55a.	55
204	Mary Hughes -	Rahilla -	Common of pasture -	Tenant at will, 39a. 3r. 17p.	Allowed pasturage of sheep in respect of 39a.	39
85	James Conlan -	Rahilla -	Common of pasture -	Tenant at will, 40a. -	Allowed pasturage of sheep in respect of 40a.	40
18	Sir Erasmus Dixon Burrowes.	Grey Abbey and White Abbey.	Common of pasture -	Owner in fee under a Patent granting commonage on Curragh— A. Grey Abbey - - 103 White Abbey - 3 Total - 106	Allowed (in respect of 103a. of Grey Abbey) pasturage of sheep. Allowed (in respect of 3a. of White Abbey) pasturage of sheep for his tenant (claim No. 94) in occupation of said land, with reversion of said pasturage to claimant, not exceeding 3 sheep.	103
94	Charles Dunne -	White Abbey	Common of pasture -	Yearly tenant of Sir Erasmus Burrowes, Bart., 3a.	Allowed pasturage of sheep in respect of 3a.	3
388	Charles Colthurst Vesey.	Cornelscourt	Common of pasture -	Owner in fee, 143a. 3r. 29p. -	Allowed (in respect of 87a.) pasturage of sheep for tenants (claims Nos. 23 and 362) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 87 sheep.	
23	John Boland -	Do. -	Common of pasture -	Yearly tenant, under C. C. Vesey, 21a. 1r. 19p.	Withdrawn in favour of landlord. Allowed pasturage of sheep in respect of 21a.	21
362	James Sex - -	Do. -	Common of pasture -	Yearly tenant, under C. C. Vesey, 66a.	Withdrawn in favour of landlord. Allowed pasturage of sheep in respect of 66a.	66
389	Charles Colthurst Vesey.	Clongounagh.	Common of pasture -	Owner in fee, 30a. 1r. - -	Allowed (in respect of 30a.) pasturage of sheep for the tenant (claim No. 366) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 30 sheep.	
366	Thomas Sullivan and John Sullivan.	Do. -	Common of pasture -	Yearly tenant of C. C. Vesey, 30a. 1r.	Withdrawn in favour of landlord. Allowed pasturage of sheep in respect of 30a.	30

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
390	Charles Colthurst Vesey.	Hawkfield	Common of pasture for self and tenants.	Owner in fee, 227a. 2r. 32p. -	Allowed (in respect of 65a.) pasturage of sheep for tenants (claims Nos. 74 and 98) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 65 sheep.	
74	Patrick Connor -	Do. -	Common of pasture -	Yearly tenant of C. C. Vesey, 20a. 1r. 19p.	Withdrawn in favour of landlord. Allowed pasturage of sheep in respect of 20a.	20
98	Patrick Dunne -	Do. -	Common of pasture -	Yearly tenant of C. C. Vesey, 45a. 2r. 29p.	Withdrawn in favour of landlord. Allowed pasturage of sheep in respect of 45a.	45
101	Thomas Dunne -	Do. -	Common of pasture -	Yearly tenant of C. C. Vesey, 20a. 3r. 38p.	Disallowed.	
391	Charles Colthurst Vesey.	Piercetown	Common of pasture for self and tenants.	Owner in fee, 81a. Irish -	Disallowed.	
392	Charles Colthurst Vesey.	Rickardstown.	Common of pasture for self and tenants.	Owner in fee, 34a. 2r. 37p. -	Disallowed.	
386	Charles Colthurst Vesey.	Rosberry -	Common of pasture for self and tenants.	Owner in fee, 368a. 0r. 28p. -	Allowed (in respect of 177a.) pasturage of sheep for tenants (claims Nos. 152, 143, 182, 184, and 371) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 177 sheep.	
152	Edward Flood -	Do. -	Common of pasture -	Leaseholder, under C. C. Vesey, 40a. 2r. 38p.	Withdrawn in favour of landlord. Allowed pasturage of sheep in respect of 40a.	40
143	John Farrell -	Do. -	Common of pasture -	Leaseholder, 28a. - -	Withdrawn in favour of landlord. Allowed pasturage of sheep in respect of 28a.	28
182	Patrick Grady, jun.	Do. -	Common of pasture -	Leaseholder, 67a. 2r. 34p. -	Withdrawn in favour of landlord. Allowed pasturage of sheep in respect of 67a.	67
184	Patrick Grady, sen.	Do. -	Common of pasture -	Leaseholder, 17a. 1r. 5p. -	Withdrawn in favour of landlord. Allowed pasturage of sheep in respect of 17a.	17
181	Richard Grady -	Do. -	Common of pasture -	Leaseholder, 11a. - -	Disallowed.	
371	Edward Tierney -	Do. -	Common of pasture -	Leaseholder, 25a. 1r. 9p. -	Withdrawn in favour of landlord. Allowed pasturage of sheep in respect of 25a.	25
387	Charles Colthurst Vesey.	Scarletstown	Common of pasture for self and tenants.	Owner in fee, 74a. 3r. 31p. -	Allowed (in respect of 38a.) pasturage of sheep for the tenant (claim No. 141) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 38 sheep.	
141	Denis Farrell -	Do. -	Common of pasture -	Leaseholder, under C. C. Vesey, 38a. 1r. 3p.	Allowed pasturage of sheep in respect of 38a.	38
148	Thady Farrell -	Do. -	Common of pasture -	Leaseholder, 33a. 2r. 36p. -	Disallowed.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
309	Reps. Henry E. Moore.	Moorefield	Common of pasture. Right of way from the road leading from Uncle Tom's Cabin to the Camp, to the dwelling-house and offices situate on Ballymanny, and called Lumville.	In fee, 250a. - - -	Allowed (in respect of 53a.) pasturage of sheep for tenant (claim No. 104) in occupation of claimant's land, with reversion of said pasturage to claimant, not exceeding 53 sheep. Right of way "as claimed" allowed, as shown by the map before referred to.	
104	Patrick Doyle -	Do. -	Common of pasture -	Leaseholder as to part, } 53a. 1r. Yearly tenant as to part, } 24p. under Reps. Henry E. Moore.	Allowed pasturage of sheep in respect of 53a.	53
19	Wm. Hawker Bourne	Do. -	Common of pasture -	Leaseholder, 14a. 3r. - -	Disallowed.	
48a	George Burdett -	Ballymanny	Common of pasture -	In fee, 315a. - - -	Allowed (in respect of 205a.) pasturage of sheep for tenants (claims Nos. 165, 233, and 358) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 205 sheep.	
378	Mary Toole - -	Do. -	Common of pasture. Compensation for loss of sheep manure.	Tenant at will, 2½a. - -	Disallowed.	
62	Charles Canavan -	Do. -	Common of pasture -	Freehold house and 2r. - -	Disallowed.	
165	James Flanagan -	Do. -	Common of pasture -	Yearly tenant, 67a. - -	Allowed pasturage of sheep in respect of 67a.	67
233	Thomas Keenan -	Do. -	Common of pasture -	Leaseholder, 20a. - -	Allowed pasturage of sheep in respect of 20a.	20
310	Reps. of the late Henry E. Moore.	Do. -	Common of pasture -	Leaseholder, 107a. - - -	Disallowed.	
319	Michael Murphy -	Do. -	Common of pasture -	Leaseholder, 27a. 2r. - -	Disallowed.	
358	William Ryan -	Do. -	Common of pasture -	Yearly tenant, 118a. - -	Allowed pasturage of sheep in respect of 118a.	118
250	Elizabeth M. Kennedy, Ellen Kennedy, and Annie Kennedy (spinsters).	Ballyshannon.	Right of way across Curragh.	- - - - - -	Disallowed.	
349	Eyre Powell - -	Great Connell.	Common of pasture -	Tenant for life under settlement of the fee; under Letters Patent granting commonage on Curragh. 780a.	Allowed pasturage of sheep in respect of 600a.; and allowed in respect of 146a., pasturage of sheep for tenants (claims Nos. 179 and 145) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 146 sheep.	600

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
179	Francis Douglas Gray.	Great Connell—*cont.*	Common of pasture -	Leaseholder under Eyre Powell, 101a. 2r. 37p.	Allowed pasturage of sheep in respect of 96a.	96
145	Patrick Farrell -	Do. -	Common of pasture -	Yearly tenant under Eyre Powell, 50a.	Allowed pasturage of sheep in respect of 50a.	50
22	William Bobbett, on behalf of himself and of the owner in fee.	Do. -	Common of pasture -	Leaseholder, 170a. - -	Allowed pasturage of sheep in respect of 170a.	170
324*a*	George Patrick Lattin Mansfield, and George Mansfield (his son).	Old Connell	Common of pasture -	In fee under Letters Patent granting commonage on the Curragh, 63a.	Allowed pasturage of sheep in respect of 63a.	63
348	Peter de P. O'Kelly	Little Connell.	Common of pasture -	In fee under Letters Patent granting commonage on the Curragh, 37a.	Allowed pasturage of sheep in respect of 37a. for tenant in occupation of claimant's lands, with reversion of said pasturage to claimant.	37
272	Francis Leigh and Fras. Charles Leigh.	Friarstown	Common of pasture -	In fee, 295a. 1r. 32p. - -	Allowed (in respect of 159a.) pasturage of sheep for tenants (claims Nos. 307, 311, 32, 72, 97, 206, and 235) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 159 sheep.	
304	John Moore - -	Do. -	Common of pasture -	Leaseholder, under Francis Leigh and Francis C. Leigh, 6a.	Withdrawn.	
307	Edward Moore -	Do. -	Common of pasture. Right of way over Curragh.	Yearly tenant under same, 12a. 2r.	Allowed pasturage of sheep in respect of 12a. Right of way disallowed.	12
311	Edward Moore -	Do. -	Common of pasture -	Leaseholder under same, 30a. 3r. 10p.	Allowed pasturage of sheep in respect of 30a.	30
317	Peter Murphy -	Do. -	Common of pasture -	Leaseholder under same, 5a. -	Disallowed.	
405*a*	Anne Wynne -	Do. -	Common of pasture -	Yearly tenant under same, 19a. -	Disallowed.	
32	Henry Brereton -	Do. -	Common of pasture -	Leaseholder under same, 82a. 2r. 25p.	Allowed pasturage of sheep in respect of 82a.	82
72	John Cronley -	Do. -	Common of pasture -	Leaseholder under same, 24a. -	Allowed pasturage of sheep in respect of 24a.	24
97	Patrick Dunne -	Do. -	Common of pasture -	Leaseholder under same, 5a. -	Allowed pasturage of sheep in respect of 5a.	5
140	Edward Farrell -	Do. -	Common of pasture -	Leaseholder under same, 11a. 2r.	Disallowed.	
206	Edward Hogarty -	Do. -	Common of pasture -	Yearly tenant under Francis Leigh, 2a. 2r., and 1a. 2r. under Henry Brierton.	Allowed pasturage of sheep in respect of 4a.	4

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	—	No. of Sheep allowed.
219	Joseph Kelly - -	Friarstown —*cont.*	Common of pasture -	Leaseholder under F. and C. Leigh, 61a.	Disallowed.	
235	William Kavanagh	Do. -	Common of pasture -	Leaseholder under same, 2a. 2r. -	Allowed pasturage of sheep in respect of 2a.	2
237	Michael Keegan -	Do. -	Common of pasture -	Leaseholder, 18a. - -	Disallowed.	
322	Lawrence Murphy -	Clogarrett, Little.	Common of pasture. Right of way across Curragh.	Yearly tenant, 10a. - -	Disallowed.	
359	Charles Ryan, on behalf of his tenant, Stephen Conlan.	Crodenstown	Common of pasture -	Held in fee, 27a. - - -	Allowed pasturage of sheep in respect of 27a., for claimant's tenant, with reversion of said pasturage to claimant.	27
189	John Healy -	Kilmeague and Ballyteague.	Common of pasture -	Freehold, 140a. - - -	Disallowed.	
131	Jas. Dunney, on behalf of himself and of Mrs. M'Gann, owner in fee.	Newtown Suncroft.	Common of pasture -	Leaseholder, 50a. - - -	Allowed pasturage of sheep in respect of 50a., with reversion of said pasturage to the owner in fee.	50
15	Patrick Birmingham, on behalf of himself and Robert Higginson Borrowes, owner in fee.	Mooretown Castle.	Common of pasture -	Yearly tenant, 24a. 3r. - -	Allowed pasturage of sheep in respect of 24a., with reversion of said pasturage to the owner in fee.	24
43	Denis Byrne -	Do. -	Common of pasture -	Yearly tenant, 40a. - -	Disallowed.	
377	Moses Taylor, on behalf of himself and of James Egan, owner in fee.	Morristown Biller	Common of pasture -	Leaseholder, 188a. 2r. 17p. -	Allowed pasturage of sheep in respect of 160a. Allowed (in respect of 23a.) pasturage of sheep for tenant (claim No. 145) in occupation of claimant's land, with reversion of said pasturage to claimant during his lease, with reversion in respect of 183a. to the owner in fee, not exceeding 183 sheep.	160
145	Patrick Farrell -	Do. -	Common of pasture -	Yearly tenant, 23a. - -	Allowed pasturage of sheep in respect of 23a.	23
229	Colonel Thomas C. Kelly.	Loughbrowne.	Common of pasture -	In fee, 115a. 0r. 6p. - -	Allowed, in respect of 95a, pasturage of sheep for tenants (claims Nos. 100 and 145) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 95 sheep.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
100	John Dunne -	Loughbrowne —*cont.*	Common of pasture -	Leaseholder and yearly tenant, under Col. T. C. Kelly, 50a.	Allowed pasturage of sheep in respect of 50a.	50
145	Patrick Farrell -	Do. -	Common of pasture -	Leaseholder under same, 45a. 2r. 38p.	Allowed pasturage of sheep in respect of 45a.	45
238	Laurence Keegan, jun.	Do. -	Common of pasture. Right of training horses on Curragh. Right of way across Curragh.	Yearly tenant, 3a. - -	Disallowed.	
243	Phelam Keegan -	Do. -	Common of pasture -	Yearly tenant, 1a. - - -	Disallowed.	
16	St. John Thomas Blacker.	Kinnea -	Common of pasture -	Fee-farm, 276a. 3r. 14p. -	Allowed, in respect of 24a., pasturage of sheep for tenant in occupation of claimant's lands (claim No. 394), with reversion of said pasturage to claimant, not exceeding 24 sheep.	
226	Michael Kelly -	Do. -	Common of pasture. Compensation for land taken by Camp. Right of way across the Curragh. Use of well and pond on Curragh.	Yearly tenant, 1a. 0r. 5p. -	Allowed access to well and pond, as shown by the map before referred to. Remainder of claim disallowed.	
288	Thomas Mullread -	Do. -	Do. do. - -	Yearly tenant of house and garden.	Allowed access to well and pond, as shown by the map before referred to. Remainder of claim disallowed.	
289	John Moir - -	Do. -	Common of pasture -	Leaseholder, 150a. - -	Disallowed.	
351	John Power -	Do. -	Common of pasture. Right of way across Curragh.	Yearly tenant, 6a. - - -	Disallowed.	
354	Alexander Ritchie -	Do. -	Common of pasture -	Leaseholder, 50a. - -	Disallowed.	
394	Margaret Walsh -	Do. -	Common of pasture. Right of way to public road. Use of well and pond on Curragh. 100*l.* compensation for land taken in by Camp.	Yearly tenant under St. John Thomas Blacker, 24a.	Allowed pasturage of sheep in respect of 24a. Allowed access to well and pond and right of way to public road, as shown by the map before referred to. Remainder of claim disallowed.	24
369	James Tobin -	Do. -	Common of pasture. Right of way across Curragh.	Yearly tenant, 3a. 3r. 13p. -	Disallowed.	
291	John F. Meekings -	Knockawlin	Common of pasture. Right of way from his boundary to public road.	In fee, 182a. 0r. 32p. - -	Allowed, in respect of 171a., pasturage of sheep for tenants (claims Nos. 342 and 403) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 171 sheep. Access to public road allowed, as shown by the map before referred to.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
342	William Orford, sen.	Knockawlin —*cont.*	Common of pasture. Right of way to public road.	Leaseholder under J. F. Meekings, 64a.	Allowed pasturage of sheep in respect of 64a. Access to public road allowed, as shown by the map before referred to.	64
355	Patrick Ronan -	Do. -	Common of pasture. Right of way, &c.	Freehold cabin - - -	Withdrawn.	
403	Michael Waters -	Do. -	Common of pasture -	Leaseholder under J. F. Meekings, 107a.	Allowed pasturage of sheep in respect of 107a.	107
64	William Cooke -	Do. -	Common of pasture -	Freehold - - -	Disallowed.	
245	James Keegan -	Do. -	Common of pasture -	Leaseholder, 11a. - - -	Disallowed.	
325	Laurence M'Dermott.	Do. -	Common of pasture -	Freehold cottage and garden -	Withdrawn.	
17	Sir Erasmus Dixon Borrowes, Bart.	Strawhall -	Common of pasture -	In fee, 40a. - - -	Allowed (in respect of 25a.) pasturage of sheep for tenant (claim No. 120) in occupation of claimant's land, with reversion of said pasturage to the owner in fee, not exceeding 25 sheep.	
122	Augustine Davies -	Do. -	Common of pasture -	Leaseholder, 29a. - -	Withdrawn.	
120	Rev. Francis Davies	Do. -	Common of pasture -	Leaseholder, 25a. - -	Allowed pasturage of sheep in respect of 25a.	25
367	Robert Ball Steele, and Robert Ball Steele, his eldest son.	Rathbride (New-town and Rolickstown).	Common of pasture -	In fee under settlement, 1,100a. -	Allowed (in respect of 700a.) pasturage of sheep for tenants in occupation of claimants' lands, with reversion of said pasturage to claimants, not exceeding 700 sheep.	
8	Richard Beahan -	Rathbride -	Common of pasture. Compensation for loss of sheep manure.	Tenant at will under R. B. Steele, 2a.	Disallowed.	
14	William Bergin -	Do. -	Common of pasture. Right of way across Curragh.	Tenant at will under R. B. Steele, 21a.	Disallowed.	
54	Patrick Cleary -	Do. -	Common of pasture. Right of way across Curragh.	Yearly tenant under R. B. Steele, 64a.	Allowed pasturage of sheep in respect of 64a. Right of way disallowed.	64
72	John Cronley -	Do. -	Common of pasture. Right of way across Curragh.	Tenant at will under R. B. Steele, 8a. 2r.	Allowed pasturage of sheep in respect of 8a. Right of way disallowed.	8
89	Alice Cleary -	Do. -	Common of pasture. Right of water on the Curragh.	Yearly tenant under R. B. Steele, 75a.	Allowed pasturage of sheep in respect of 75a. Remainder of claim disallowed.	75
108	Michael Dowling -	Do. -	Common of pasture -	Tenant at will under R. B. Steele, 54a.	Allowed pasturage of sheep in respect of 54a.	54
128	Thomas Dennell -	Do. -	Common of pasture -	Yearly tenant under R. B. Steele, 51a.	Allowed pasturage of sheep in respect of 51a.	51

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
216	Thomas Kelly -	Rathbride—*cont.*	Common of pasture -	Yearly tenant - - 47a. Leaseholder - - 15a. 62a.	Allowed pasturage of sheep in respect of 62a.	62
220	Richard Kelly -	Do. -	Common of pasture -	Yearly tenant under R. B. Steele, 80a.	Allowed pasturage of sheep in respect of 80a.	80
222	Bartholemew Kelly	Do. -	Common of pasture -	Yearly tenant under R. B. Steele, 9a.	Allowed pasturage of sheep in respect of 9a.	9
225	Michael Kelly -	Do. -	Common of pasture -	Yearly tenant under R. B. Steele, 36a.	Withdrawn.	
300	Patrick Moore -	Do. -	Common of pasture -	Yearly tenant of Mrs. Mary Anne Orford, under R. B. Steele, 7a.	Allowed pasturage of sheep in respect of 7a.	7
306	John Moore - -	Do. -	Common of pasture. Right of way across Curragh. Right of watering cattle. Compensation, 100*l.*	Yearly tenant, R. B. Steele, 13a. 2r.	Allowed pasturage of sheep in respect of 13a. Remainder of claim disallowed.	13
312	Edward Moore -	Do. -	Common of pasture -	Yearly tenant, 36a. - -	Allowed pasturage of sheep in respect of 36a.	36
313	Margaret Moore -	Do. -	Common of pasture -	Tenant at will, 20a. - -	Disallowed.	
314	Anne Moore - -	Do. -	Common of pasture. Right of way from claimant's land to public road.	Yearly tenant, R. B. Steele, 5a. -	Allowed pasturage of sheep in respect of 5a. Access to public road allowed, as shown by the map before referred to.	5
335	James Nolan - -	Do. -	Common of pasture -	Yearly tenant to R. B. Steele, 21a.	Allowed pasturage of sheep in respect of 21a.	21
174	Catherine Glinn -	Do. -	Common of pasture -	House free - - -	Disallowed.	
175	Michael Gilfoil -	Do. -	Common of pasture -	Free house and garden - -	Disallowed.	
347	Mrs. Mary Anne Orford.	Do. -	Common of pasture. Right of way across Curragh.	Leaseholder under R. B. Steele -	Withdrawn.	
344	Mrs. Mary Anne Orford.	Do. -	Common of pasture -	Leaseholder under R. B. Steele, 113a.	Allowed pasturage of sheep in respect of 113a., with reversion of the pasturage of 7a. (claim No. 300), during her tenancy.	113
327	Patrick M'Donough	Do. -	Common of pasture -	Occupier for C. St. George, ½r. -	Disallowed.	
381	Edward Tiernan -	Do. -	Common of pasture. Right of way across Curragh.	At will, 10a. - - -	Withdrawn.	
382	Patrick Tiernan -	Do. -	Common of pasture -	Yearly tenant under R. B. Steele, 8a.	Allowed pasturage of sheep in respect of 8a.	8

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.		No. of Sheep allowed.
383	James Tiernan -	Rathbride —*cont.*	Common of pasture -	Yearly tenant under R. B. Steele - - - 53a. Leaseholder under R. B. Steele - - 28a. 81a.	Allowed pasturage of sheep in respect of 79a.	79
384	Mary Tiernan -	Do. -	Common of pasture -	Tenant at will under R. B. Steele, 10a. 2r.	Allowed pasturage of sheep in respect of 10a.	10
396	Thomas Walsh -	Do. -	Common of pasture -	Tenant at will under R. B. Steele, 6a.	Allowed pasturage of sheep in respect of 5a.	5
157	John Foran - -	Do. -	Common of pasture -	Caretaker under Mrs. Orford, 2a.	Disallowed.	
31	George L. Bryan -	Walshestown	Common of pasture -	In fee under a Patent granting common-age on the Curragh A. R. P. 133 1 20 Fee-simple - - 267 3 0 Total - - 401 0 20	Allowed (in respect of 307a.) pasturage of sheep for tenants (claims Nos. 86, 163, 171, 398, and 401) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 307 sheep.	
46	Peter Buckley -	Do. -	Common of pasture. Right of way across Curragh.	Under George L. Bryan. At will, 8a. - - -	Disallowed.	
86	Stephen Conlan -	Do. -	Common of pasture - -	Yearly tenant, 30a. - -	Allowed pasturage of sheep in respect of 30a.	30
112	Thomas Dowling -	Do. -	Common of pasture - -	Yearly tenant, 18a. 2r. 3p. -	Disallowed.	
163	James Fegan - -	Do. -	Common of pasture - -	Yearly tenant, 88a. - -	Allowed pasturage of sheep in respect of 88a.	88
171	William Gannon -	Do. -	Common of pasture - -	Yearly tenant, 98a. - -	Allowed pasturage of sheep in respect of 98a.	98
197	Patrick Hanlon -	Do. -	Common of pasture - -	Yearly tenant, 43a. - -	Disallowed.	
323	Christopher Murphy	Do. -	Common of pasture - -	Yearly tenant, 16a. - -	Disallowed.	
398	Thomas Whyte -	Do. -	Common of pasture - -	Yearly tenant, 73a. - -	Allowed pasturage of sheep in respect of 73a.	73
401	Martin Whelan -	Do. -	Common of pasture - -	Yearly tenant, 18a. - -	Allowed pasturage of sheep in respect of 18a.	18
46	Peter Buckley -	Black Ditch	Common of pasture - -	Yearly tenant, 115a. - -	Disallowed.	
186	Hans Hendrick -	Tully or French Furze	- - - -	- - - -	Withdrawn.	
187	Hans Hendrick -	Do. -	Common of pasture - -	In fee, 1,104a. 5r. 34p. - -	Allowed (in respect of 583a.) pasturage of sheep for tenants (claims Nos. 4, 260, 269, 271, 302, 361, 81, 103, 166, 196, 228, and 240) in occupation of claimant's lands, with reversion of said pasturage to claimant, not exceeding 583 sheep.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
188	Hans Hendrick -	Tully or French Furze —*cont.*	- - - -	- - - -	Withdrawn.	
3	James Bambrick -	Do. -	Common of pasture - -	Tenant at will, cottage and garden	Disallowed.	
4	John Beahan - -	Do. -	Common of pasture - -	Tenant at will, 10a. - -	Allowed pasturage of sheep in respect of 10a.	10
30	John Bradshaw -	Do. -	Common of pasture. Compensation for loss of sheep manure.	Cottage; caretaker - - -	Disallowed.	
75	Joseph Confrey -	Do. -	Common of pasture - -	Yearly tenant, 38a. - -	Disallowed.	
260	Anne Lennox -	Do. -	Common of pasture - -	At will, 47a. - - - -	Allowed pasturage of sheep in respect of 47a.	47
267	Michael Lee - -	Do. -	Common of pasture - -	Leaseholder, 132a. 2r. 36p. -	Withdrawn.	
269	William Lee - -	Do. -	Common of pasture - -	Leaseholder, 28a. 3r. 28p. -	Allowed pasturage of sheep in respect of 28a.	28
271	Mathew Lawler -	Do. -	Common of pasture - -	Yearly tenant, 18a. - - -	Allowed pasturage of sheep in respect of 18a.	18
302	John Moore - -	Do. -	Common of pasture. Right of way across Curragh.	Leaseholder, 110a. 0r. 30p. -	Allowed pasturage of sheep in respect of 110a. Right of way disallowed.	110
320	Daniel Murphy -	Do. -	Common of pasture. Compensation for loss of sheep manure.	At will; cabin - - -	Disallowed.	
326	Patrick M'Donald -	Do. -	Common of pasture. Compensation for loss of sheep manure.	Caretaker, 1a. - - - -	Disallowed.	
361	Simon Ryan - -	Do. -	Common of pasture. Right of way over Curragh.	Leaseholder, 86a. - - -	Allowed pasturage of sheep in respect of 86a. Right of way disallowed.	86
399	Charles Westlake -	Do. -	Common of pasture - -	Freehold cottage - - -	Disallowed.	
81	FitzJames Clancy -	Do. -	Common of pasture - -	Leaseholder, 12a. 1r. - -	Allowed pasturage of sheep in respect of 12a.	12
103	John Doyle - -	Do. -	Common of pasture. Right of exercising horses and way over Curragh.	Yearly tenant, 10a. - - -	Allowed pasturage of sheep in respect of 10a. Remainder of claim disallowed.	10
125	MathewO'Donoghoe	Do. -	Common of pasture - -	At will, house and yard - -	Disallowed.	
166	James Fay - -	Do. -	Common of pasture. Right of way over Curragh.	Leaseholder, 175a. - - -	Allowed pasturage of sheep in respect of 175a. Right of way disallowed.	175
196	Mary Hanlon	Do. -	Common of pasture. Right of hooping wheels and use of gallops.	Leaseholder, 6a. - - -	Allowed pasturage of sheep in respect of 5a. Remainder of claim disallowed.	5

[No. 37. Price 2d.]

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
198	Michael Houlahan -	Tully or French Furze —*cont.*	Common of pasture. Compensation for loss of sheep manure.	- - - -	Disallowed.	
228	Mathew Kelly -	Do. -	Common of pasture. Right of way across Curragh.	Yearly tenant, 42a. - - -	Allowed pasturage of sheep in respect of 42a. Right of way disallowed.	42
240	Laurence Keegan, sen.	Do. -	Common of pasture. Right of exercising horses. Right of way over the Curragh.	Leaseholder, 40a. - - -	Allowed pasturage of sheep in respect of 40a. Remainder of claim disallowed.	40
205	Euphemia Eleonora Hodson, on behalf of herself and of Rev. John Bonham, owner in fee.	Sunny Hill	Common of pasture - -	Leaseholder, 240a. - - -	Allowed (in respect of 139a.) pasturage of sheep for tenants in occupation of claimant's lands (claims Nos. 369 and 395) with reversion of said pasturage to claimant, and to the owner in fee, not exceeding 139 sheep.	
296	Elizabeth Moran -	Do. -	Common of pasture - -	House and garden - -	Disallowed.	
369	James Tobin - -	Do. -	Common of pasture. Right of way from house to public road.	Leaseholder, 9a. 2r. 30p. - -	Allowed pasturage of sheep in respect of 9a. Access to public road allowed, as shown by the map before referred to.	9
395	Thomas Walsh -	Do. -	Common of pasture - -	Leaseholder, 130a. - -	Allowed pasturage of sheep in respect of 130a.	130
292	John F. Meekings -	North and South Glebe, Knockbounce, and Old Kilcullen.	Common of pasture - -	In fee, 69a. 3r. 17p. - - -	Disallowed.	
126	Thomas Dempsey -	Do. -	Common of pasture - -	Leaseholder, 13a. 1r. 39p. -	Disallowed.	
374	Esther Tougher -	Do. -	Common of pasture - -	Leaseholder and yearly tenancy, 8a.	Disallowed.	
26	John Brennan. -	Do. -	Common of pasture - -	Leaseholder, 33a. 3r. 3p. -	Disallowed.	
368	Patrick Salmon -	Old Kilcullen.	Common of pasture. Right of way across the Curragh.	Tenant at will, 4a. 3r. - -	Disallowed.	
121	Rev. Francis Davies	Not mentioned.	- - - -	- - - -	Withdrawn.	
119	Joseph Davis -	Do. -	- - - -	- - - -	Withdrawn.	
276	John Mooney -	Town of Kildare.	Common of pasture - -	Freehold, three houses - -	Disallowed.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
61	Denis Casey -	Not mentioned.	Common of pasture - -	Freehold cottage and garden -	Disallowed.	
51	Mary M'Cartin -	Not mentioned.	- - - -	- - - -	Withdrawn.	
254	His Grace The Duke of Leinster, Marquis of Kildare, and Earl of Offaly.	Maddenstown.	Common of pasture for selves and tenants. Right of way to and from Curragh.	The Duke, tenant for life under settlement of the fee with remainders, 663a.	Allowed (in respect of 285a.) pasturage of sheep for tenants (claims Nos. 57, 58, 117, 132, 134, 214, 333, 336, 338) in occupation of claimants' lands, with reversion of said pasturage to claimants, not exceeding 285 sheep. Right of way disallowed.	
57	Maurice Caffrey -	Do. -	Common of pasture -	Yearly tenant under the Duke of Leinster, 25a.	Allowed pasturage of sheep in respect of 25a.	25
58	Thomas Caffrey -	Do. -	Common of pasture -	Yearly tenant under same, 7a. -	Allowed pasturage of sheep in respect of 7a.	7
109	William Dowling -	Do. -	Common of pasture -	Yearly tenant under same, 3a. -	Disallowed.	
117	Denis Dooney -	Do. -	Common of pasture -	Yearly tenant under same, 17a. -	Allowed pasturage of sheep in respect of 17a.	17
132	James Dunney -	Do. -	Common of pasture -	Yearly tenant under same, 37a. -	Allowed pasturage of sheep in respect of 37a.	37
133	Michael Doogan -	Do. -	Common of pasture -	Yearly tenant under same, 3a. -	Disallowed.	
134	Lawrence Doogan -	Do. -	Common of pasture -	Yearly tenant under same, 37a. -	Allowed pasturage of sheep in respect of 37a.	37
176	James Graney -	Do. -	Common of pasture -	Yearly tenant under same, 2a. 2r.	Disallowed.	
214	Patrick Keane -	Do. -	Common of pasture -	Yearly tenant under same, 60a. -	Allowed pasturage of sheep in respect of 60a.	60
333	Richard Newcomen	Do. -	Common of pasture -	Yearly tenant under same, 48a. -	Allowed pasturage of sheep in respect of 48a.	48
336	Patrick Owens -	Do. -	Common of pasture -	Yearly tenant under same, 44a. -	Allowed pasturage of sheep in respect of 43a.	43
338	Jane Owens -	Do. -	Common of pasture -	Yearly tenant under same, 11a. -	Allowed pasturage of sheep in respect of 11a.	11
346	Patrick Orford -	Do. -	Common of pasture -	Yearly tenant under same, 109a.	Disallowed.	
60	Thomas Caffrey -	Do. -	Common of pasture -	Tenant at will, 8a. - - -	Withdrawn.	
90	Denis Dooney -	Do. -	Common of pasture -	Tenant at will, 17a. - -	Withdrawn in favour of claim 117.	
215	Patrick Keane -	Do. -	Common of pasture. Right of way to and from house and land to Curragh.	Yearly tenant 100a. - -	Withdrawn in favour of claim 214.	
337	Patrick Owens -	Do. -	Common of pasture -	Tenant at will, 44a. - - -	Withdrawn in favour of claim 336.	
345	Patrick Orford -	Do. -	Common of pasture. Passage to and from house to Curragh and adjoining fair and market towns.	135a.	Withdrawn in favour of claim 346.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	—	No. of Sheep allowed.
368a	John Smith - -	Maddenstown—*cont.*	Common of pasture. Compensation for loss of gathering sheep manure. Passage across Curragh.	Caretaker to Richard Newcomen, cottage—no land.	Disallowed.	
131	James Dunney -	Do. -	Common of pasture. Passage to and from Curragh to public road.	Yearly tenant, 40a. - -	Disallowed.	
256	His Grace The Duke of Leinster, Marquis of Kildare, and Earl of Offaly.	Walterstown	Common of pasture for selves and tenants.	The Duke tenant for life, under settlement of the fee with remainders, 40a.	Disallowed.	
153	John Flood -	Do. -	Common of pasture -	Yearly tenant, 40a. - -	Disallowed.	
259a	His Grace The Duke of Leinster, Marquis of Kildare, Earl of Offaly.	Red Hills -	Common of pasture for selves and tenants. Right of way to and from Curragh.	The Duke tenant for life, under settlement of the fee with remainders, 73a.	Allowed, in respect of 72a., pasturage of sheep, for tenant (claim No. 155) in occupation of claimants' land, with reversion of said pasturage to claimants, not exceeding 72 sheep. Right of way disallowed.	72
155	William Forbes -	Do. -	Common of pasture. Right of way to and from the Curragh.	Yearly tenant under the Duke of Leinster, 73a.	Allowed pasturage of sheep in respect of 72a. Right of way disallowed.	
259	Duke of Leinster, Marquis of Kildare, and Earl of Offaly.	Dunmurry	Common of pasture for selves and tenants.	The Duke tenant for life, under settlement of the fee with remainders, 181a.	Allowed (in respect of 94a.) pasturage of sheep for tenant (claim No. 279) in occupation of claimants' land, with reversion of said pasturage to claimants, not exceeding 94 sheep.	
97	Patrick Dunne -	Do. -	Common of pasture -	Tenant at will under the Duke of Leinster, 3a. 2r.	Disallowed.	
107	Michael Dowling -	Do. -	Common of pasture -	Yearly tenant under same, 141a. Also 28a. at Conlanstown.	Disallowed.	
279	Patrick Murrin -	Do. -	Common of pasture -	Yearly tenant under same, 94a. -	Allowed pasturage of sheep in respect of 94a.	94
281	James Edw. Medlicott.	Do. -	Common of pasture -	In fee, 311a. - - - -	Allowed pasturage of sheep in respect of 207a. Allowed, in respect of 45a., pasturage of sheep, for tenant (claim No. 318) in occupation of claimants' land, with reversion of said pasturage to claimants, not exceeding 45 sheep.	207
318	Philip Murphy -	Do. -	Common of pasture -	Yearly tenant under J. E. Medlicott, 103a.	Allowed pasturage of sheep in respect of 45a.	45

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
341	James Owens -	Dunmurry—*cont.* -	Common of pasture -	Cottage occupied as shepherd -	Disallowed.	
258	Duke of Leinster, Marquis of Kildare, and Earl of Offaly.	Blackmuller's Hill	Common of pasture for selves and tenants. Right of way to and from Curragh.	The Duke tenant for life, under settlement of the fee with remainders, 71a.	Allowed (in respect of 54a.) pasturage of sheep for tenants (claims Nos. 21, 244, and 397) in occupation of claimants' lands, with reversion of said pasturage to claimants, not exceeding 54 sheep.	
21	Christopher Boyle -	Do. - -	Common of pasture -	Yearly tenant under the Duke of Leinster, 6a.	Allowed pasturage of sheep in respect of 6a.	6
244	John Keegan - -	Do. -	Common of pasture -	Yearly tenant under same, 44a. -	Allowed pasturage of sheep in respect of 42a.	42
334	Patrick Nolan -	Do. - - -	Common of pasture -	Yearly tenant under same, 6a. 1r. 13p.	Withdrawn.	
397	Thomas Walsh -	Do. - -	Common of pasture -	Yearly tenant under same, 6a. -	Allowed pasturage of sheep in respect of 6a.	6
253	The Duke of Leinster, Marquis of Kildare, and Earl of Offaly.	Kildare, comprising the town of Kildare, Kildare North, Kildare South, and including the following denominations, viz.: Curragh farm, Whitesland, West and East, Loughandes, South Green, Loughminane, and Loughlion.	Common of pasture for selves and tenants. Right of way to and from Curragh.	The Duke, tenant for life under settlement of the fee with remainders, 869a. 3r. 13p.	Allowed pasturage of sheep in respect of 11a. (claims Nos. 127 and 146). Allowed (in respect of 204a.) pasturage of sheep for tenants (claims Nos. 53, 56, 88, 106, 156, 73, 87, 68, 55*a*, 404, 242, 303, and 321) in occupation of claimants' lands, herein-after mentioned, with reversion of said pasturage to claimants, not exceeding 204 sheep. Right of way disallowed.	11
7	Simon Beahan -	Do. - -	Common of pasture. Right of way to and from his land to Curragh.	Yearly tenant under the Duke of Leinster, 1r.	Disallowed.	
53	Daniel Cleary -	Do. - -	Common of pasture. Right of way to and from his land to Curragh.	Yearly tenant under the Duke of Leinster, 23a.	Allowed pasturage of sheep in respect of 23a. Right of way disallowed.	23
56	Henry Carey - -	Do. -	Common of pasture. Right of way to and from his land to Curragh.	Yearly tenant under same, 6a. 2r.	Allowed pasturage of sheep in respect of 6a., with reversion to his landlord, claimant No. 88. Right of way disallowed.	6

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
88	Alicia Colgan -	Kildare lands —*cont.*	Common of pasture. Right of way to and from her land to Curragh.	Yearly tenant under same, 69a. -	Allowed pasturage of sheep in respect of 69a. Right of way disallowed.	69
106	Thomas Doyle -	Do. -	Common of pasture. Right of way to and from his land to Curragh.	Yearly tenant under same, 12a. 1r. 15p.	Allowed pasturage of sheep in respect of 12a. Right of way disallowed.	12
127	James Dempsey -	Do. -	Common of pasture. Right of way to and from his land to Curragh.	Yearly tenant under same, 9a. -	Disallowed to claimant; but allowed pasturage of sheep to the owner in fee in respect of 9a. Right of way disallowed.	
138	Mary Fitzgerald -	Do. -	Common of pasture. Right of way to and from her land to Curragh.	Yearly tenant under same, 1a. -	Withdrawn.	
146	Anne Farrell - -	Do. -	Common of pasture - -	Yearly tenant under same, 2a. 2r. 8p.	Disallowed to claimant; but allowed pasturage of sheep to owner in fee in respect of 2a.	
156	Anthony Foran -	Do. -	Common of pasture - -	Yearly tenant under same, 4a. -	Allowed pasturage of sheep in respect of 3a.	3
159	James Finlay -	Do. -	Common of pasture. Right of way to and from his land to Curragh.	Yearly tenant under same, 23a. -	Withdrawn.	
236	John Keegan -	Do. -	Common of pasture - -	Cabin - - - - -	Disallowed.	
73	James Collins -	Do. -	Common of pasture - -	Yearly tenant under same, 4a. -	Allowed pasturage of sheep in respect of 4a.	4
87	John Colgan - -	Do. -	Common of pasture - -	Yearly tenant under same, 6a. -	Allowed pasturage of sheep in respect of 6a.	6
68	Thomas Cooney -	Do. -	Common of pasture - -	Tenant to Alicia Colgan, who holds under the Duke of Leinster, 6a.	Allowed pasturage of sheep in respect of 6a., with reversion to his landlord, claimant No. 88.	6
55*a*	Samuel Chaplin -	Do. -	Common of pasture - -	Yearly tenant under the Duke of Leinster, 11a.	Allowed pasturage of sheep in respect of 11a.	11
70	Henry Cooney -	Do. -	Common of pasture. Right of way to and from his house and land to the Curragh.	Yearly tenant under same, 6a. 0r. 27p.	Withdrawn.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
266	Michael Charles Lee	Kildare lands —*cont.*	Common of pasture. Right of way across the Curragh. Compensation for land taken in by Camp.	Leaseholder under the Duke of Leinster, 16a. 2r. 1p.	Withdrawn.	
130	James Dempsey -	Do. -	Common of pasture - -	Tenant at will, 9a. - -	Withdrawn in favour of claim No. 127.	
4	Patrick Bartley -	Do. -	Common of pasture - -	Yearly tenant under same -	Disallowed.	
356	Mary Rogers -	Do. -	Common of pasture. Passage from lands to Camp.	Yearly tenant, 2a. - -	Withdrawn.	
404	George Warren -	Do. -	Common of pasture. Passage from lands to Curragh.	Yearly tenant under same, 3a. -	Allowed pasturage of sheep in respect of 2a. Passage disallowed.	2
242	Laurence Keegan -	Do. -	Common of pasture. Right of way from lands to Curragh.	Yearly tenant, 47a. - -	Allowed pasturage of sheep in respect of 46a. Right of way disallowed.	46
264	William Lee -	Do. -	Common of pasture. Passage across Curragh. Compensation for land and pasturage taken in by Camp.	Tenant at will, 23a. 2r. 23p. -	Disallowed.	
268	Michael Lee -	Do. -	Common of pasture. Passage across the Curragh. Compensation for land taken in by Camp.	Yearly tenant, 28a. - -	Withdrawn.	
303	John Moore -	Do. -	Common of pasture. Passage from land to Curragh.	Yearly tenant, 6a. - -	Allowed pasturage of sheep in respect of 6a. Passage disallowed.	6
321	Laurence Murphy -	Do. -	Common of pasture. Right of way from land to Curragh,	Yearly tenant, 11a. - -	Allowed pasturage of sheep in respect of 10a. Right of way disallowed.	10
265	Michael Charles Lee	Do. -	Common of pasture. Passage across the Curragh. Compensation for land taken in by Camp.	Leaseholder, 16a. 2r. 17p. Yearly tenant, 25a. 1r. 23p.	Disallowed.	
259*b*	His Grace the Duke of Leinster, Marquis of Kildare, and Earl of Offaly.	Mooretown	Common of pasture for selves and tenants.	The Duke, tenant for life under settlement of the fee with remainders, 205a.	Disallowed.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
47	Thomas Burke -	Mooretown —*cont.*	Common of pasture - -	Yearly tenant, 5a. - -	Disallowed.	
177	Arthur Garry -	Do. -	Common of pasture - -	Yearly tenant, 140a. - -	Withdrawn.	
224	Patrick Kelly -	Do. -	Common of pasture - -	Tenant at will, 35a. - -	Withdrawn.	
305	John Moore -	Do. -	Common of pasture - -	Tenant at will, 13a. - -	Withdrawn.	
373	Thomas Treacey -	Do. -	Common of pasture - -	Tenant at will, 11a. - -	Withdrawn.	
82	Bridget Conlan, and on behalf of the owner in fee.	Do. -	Common of pasture - -	Yearly tenant under Charles Joynt, owner in fee, 45a. 1r. 5p.	Allowed pasturage of sheep in respect of 39a.	39
290	John Frederick Meekings, and on behalf of the owner in fee.	Do. -	Common of pasture - -	Yearly tenant under Charles R. Joynt, owner in fee, 50a.	Disallowed.	
192	John Vincent Horan	Do. -	Common of pasture. Right of way.	In fee - - - - -	Withdrawn.	
255	His Grace the Duke of Leinster, Marquis of Kildare, and Earl of Offaly.	Milltown -	Common of pasture for selves and tenants. Right of way to and from Curragh.	The Duke, tenant for life under settlement of the fee with remainders, 222a.	Allowed (in respect of 54a.) pasturage of sheep for tenant (claim No. 221) in occupation of claimants' land, with reversion of said pasturage to claimants, not exceeding 54 sheep. Right of way disallowed.	
221	Richard Kelly -	Do. -	Common of pasture - -	Yearly tenant under the Duke of Leinster, 128a.	Allowed pasturage of sheep in respect of 54a.	54
357	William Ryan -	Do. -	Common of pasture. Right of way to and from Curragh.	Yearly tenant under same, 39a. -	Withdrawn.	
360	Richard Ryan -	Do. -	Common of pasture. Right of way to and from Curragh.	Yearly tenant under same, 33a. -	Withdrawn.	

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
252	His Grace the Duke of Leinster, the Marquis of Kildare, and the Earl of Offaly.	Killenagornane.	Common of pasture for selves and tenants. Right of way to and from Curragh.	The Duke, tenant for life under settlement of the fee with remainders, 114a, 2r. 20p.	Allowed (in respect of 113a.) pasturage of sheep for tenants in occupation of claimants' lands (claims Nos. 9, 10, 280), with reversion of said pasturage to claimants, not exceeding 113 sheep. Right of way disallowed.	
9	Patrick Beahan -	Do. -	Common of pasture. Right of way from lands to Curragh.	Yearly tenant under the Duke of Leinster, 15a.	Allowed pasturage of sheep in respect of 15a. Right of way disallowed.	15
10	Michael Beahan -	Do. -	Common of pasture. Right of way from lands to Curragh.	Leaseholder under same, 30a. -	Allowed pasturage of sheep in respect of 29a. Right of way disallowed.	29
280	John Mill way -	Do. -	Common of pasture -	Yearly tenant under same, 69a. 2r. 20p.	Allowed pasturage of sheep in respect of 69a.	69
257	Duke of Leinster, Marquis of Kildare, and Earl of Offaly.	Knocknagallia or Whitesland.	Common of pasture for selves and tenants. Right of way to and from Curragh.	The Duke, tenant for life under settlement of the fee with remainders, 176a. 3r. 22p.	Allowed (in respect of 38a.) pasturage of sheep for tenants (claims Nos. 95, 135, and 195) in occupation of claimants' lands, with reversion of said pasturage to claimants, not exceeding 38 sheep. Right of way disallowed.	
35	Michael Byrne -	Do. -	Common of pasture, Right of way to and from Curragh.	Yearly tenant under the Duke of Leinster, 8a. 0r. 4p.	Disallowed.	
37	John Byrne - -	Do. -	Common of pasture. Right of way to and from Curragh. Right to train horses on Curragh. Compensation for land taken in by Camp.	Yearly tenant under the Duke of Leinster, 17a.	Disallowed.	
52	Daniel Cleary -	Do. -	Common of pasture - -	Yearly tenant under same, 21a. -	Disallowed.	
55	Samuel Chaplin -	Do. -	Common of pasture - -	Yearly tenant under same, 7a. -	Disallowed.	
95	Charles Dunne -	Do. -	Common of pasture - -	Yearly tenant under same, 15a. -	Allowed pasturage of sheep in respect of 15a.	15
135	Thomas Darby -	Do. -	Common of pasture - -	Yearly tenant under same, 13a. -	Allowed pasturage of sheep in respect of 13a.	13

No. of Claim.	Names of Claimants.	Townlands.	Substance of Rights and Compensation (where any) claimed.	Term, Estate, or Interest, and Number of Acres (Irish) in respect of which Claim made.	——	No. of Sheep allowed.
194	Thomas Heffernan	Knocknagallia or Whitesland —*cont.*	Common of pasture. Right of way to and from Curragh.	Yearly tenant under same, 10a. -	Withdrawn.	
195	Thomas Heffernan	Do. -	Common of pasture - -	Tenant at will under same, 10a. -	Allowed pasturage of sheep in respect of 10a.	10
251	His Grace the Duke of Leinster, Marquis of Kildare, and Earl of Offaly.	Pollardstown	Common of pasture for selves and tenants. Right of way to and from Curragh.	The Duke, tenant for life under settlement of the fee with remainders, 546a. 3r. 34p.	Allowed (in respect of 522a.) pasturage of sheep for tenants (claims Nos. 36, 84, 139, 190, 200, and 286) in occupation of claimants' lands, with reversion of said pasturage to claimants, not exceeding 522 sheep. Right of way disallowed.	
36	Michael Byrne -	Do. -	Common of pasture. Right of way.	Yearly tenant under the Duke of Leinster, 1a. 0r. 37p.	Allowed pasturage of sheep in respect of 1a. Right of way disallowed.	1
84	Edward Conlan -	Do. -	Common of pasture. Right of way.	Yearly tenant under same, 181a.	Allowed pasturage of sheep in respect of 181a. Right of way disallowed.	181
139	Thomas Fitzgerald	Do. -	Common of pasture. Right of way.	Yearly tenant under same, 164a.	Allowed pasturage of sheep in respect of 139a. Right of way disallowed.	139
190	Patrick Healy -	Do. -	Common of pasture. Right of way.	Yearly tenant under same, 122a.	Allowed pasturage of sheep in respect of 100a. Right of way disallowed.	100
200	John Hooney -	Do. -	Common of pasture. Right of way.	Yearly tenant under same, 124a.	Allowed pasturage of sheep in respect of 100a. Right of way disallowed.	100
243	Phelim Keegan -	Do. -	Common of pasture - -	Part in fee, part yearly tenancy under the Duke of Leinster, 2a.	Disallowed.	
286	The Rev. Warren Cecil Maunsell.	Do. -	Common of pasture - -	Tenant for life as Rector of Glebelands, 1a. 2r. 29p.	Allowed pasturage of sheep in respect of 1a.	1
301	John Moore - -	Do. -	Common of pasture. Compensation for loss of collecting sheep manure and depositing it on Curragh.	Freehold cottage and 3r. - -	Disallowed.	

30*th June* 1869.

HENRY H. JOY,
ALEX. STEWART,
EDMUND A. MANSFIELD, } Curragh Commissioners.

SECOND SCHEDULE.

PUBLIC ROADS NOW EXISTING OVER THE CURRAGH.

No. 1. Road known as the Limerick Road.
No. 2. Road from Ballymanny by the Stand House and Anglesea post, by Ducie's stables to the Shrod Road.
No. 3. Road from Ballymanny by the Curragh Petty Sessions Court to Athgarvan.
No. 4. Road from Donnelly's Hollow to a point near the present post office at Ballysax.
No. 5. Road from the Kilcullen Road at Ballysax, past Ballysax Glebe to Kildare Road at French Furze.
No. 6. Road from Ballyshannon Road at Brownstown up to Road No. 5.
No. 7. Road from the corner of Whitehall to Road No. 5.
No. 8. Road from Blackmiller's Hill to Rathbride.
No. 9. Road from Blackmiller's Hill to edge of Curragh at Rossmore Lodge.
No. 10. Road from Keegan's House at Blackmiller's Hill to join Road No. 8.
No. 11. Road leading from Rathangan Road across the railway bridge to Road No. 2, near the Anglesea post.
No. 12. Road from Pollardstown bridge to Road No. 2.
No. 13. Road from the Newbridge Road, past the National School, to Road No. 3.
No. 14. Road from the road leading to Ballysax Church to Road No. 5.
No. 15. Public right of way on, over, and along the road crossing the site of the camp marked on the deposited map, and thereon distinguished by the letters "X Y," subject to the provisions in the 8th section of the Curragh of Kildare Act, 1868.

30th June 1869. HENRY H. JOY, ALEXANDER STEWART, EDMUND A. MANSFIELD, } Curragh Commissioners.

CHAP. 75.

An Act to provide for public Elementary Education in England and Wales. [9th August 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Preliminary.

1. This Act may be cited as "The Elementary Education Act, 1870." Short title.

2. This Act shall not extend to Scotland or Ireland. Extent of Act.

3. In this Act— Definition of terms.

The term "metropolis" means the places for the time being within the jurisdiction of the Metropolitan Board of Works under the Metropolis Management Act, 1855:

The term "borough" means any place for the time being subject to the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the regu- "lation of municipal corporations in England and Wales," and the Acts amending the same:

The term "parish" means a place for which for the time being a separate poor rate is or can be made:

The term "person" includes a body corporate:

The term "Education Department" means "the Lords of "the Committee of the Privy Council on Education:"

The term "Her Majesty's inspectors" means the inspectors of schools appointed by Her Majesty on the recommendation of the Education Department:

The term "managers" includes all persons who have the management of any elementary school, whether the legal interest in the schoolhouse is or is not vested in them:

The term "teacher" includes assistant teacher, pupil teacher, sewing mistress, and every person who forms part of the educational staff of a school:

The term "parent" includes guardian and every person who is liable to maintain or has the actual custody of any child:

The term "elementary school" means a school or department of a school at which elementary education is the principal part of the education there given, and does not include any school or department of a school at which the ordinary payments in respect of the instruction, from each scholar, exceed ninepence a week:

The term "schoolhouse" includes the teacher's dwelling house, and the playground (if any) and the offices and all premises belonging to or required for a school:

The term "vestry" means the ratepayers of a parish meeting in vestry according to law:

The term "ratepayer" includes every person who, under the provisions of the Poor Rate Assessment and Collection Act, 1869, is deemed to be duly rated:

The term "parliamentary grant" means a grant made in aid of an elementary school, either annually or otherwise, out of moneys provided by Parliament for the civil service, intituled 'For public education in Great Britain.'

(I.) LOCAL PROVISION FOR SCHOOLS.

School districts, &c. in schedule.

4. For the purposes of this Act the respective districts, boards, rates and funds, and authorities described in the first schedule to this Act shall be the school district, the school board, the local rate, and the rating authority.

Supply of Schools.

School district to have sufficient

5. There shall be provided for every school district a sufficient amount of accommodation in public elementary schools

(as herein-after defined) available for all the children resident in such district for whose elementary education efficient and suitable provision is not otherwise made, and where there is an insufficient amount of such accommodation, in this Act referred to as "public school accommodation," the deficiency shall be supplied in manner provided by this Act. cient public schools.

6. Where the Education Department, in the manner provided by this Act, are satisfied and have given public notice that there is an insufficient amount of public school accommodation for any school district, and the deficiency is not supplied as herein-after required, a school board shall be formed for such district and shall supply such deficiency, and in case of default by the school board the Education Department shall cause the duty of such board to be performed in manner provided by this Act. Supply of schools in case of deficiency.

7. Every elementary school which is conducted in accordance with the following regulations shall be a public elementary school within the meaning of this Act; and every public elementary school shall be conducted in accordance with the following regulations (a copy of which regulations shall be conspicuously put up in every such school); namely, Regulations for conduct of public elementary school.

(1.) It shall not be required, as a condition of any child being admitted into or continuing in the school, that he shall attend or abstain from attending any Sunday school, or any place of religious worship, or that he shall attend any religious observance or any instruction in religious subjects in the school or elsewhere, from which observance or instruction he may be withdrawn by his parent, or that he shall, if withdrawn by his parent, attend the school on any day exclusively set apart for religious observance by the religious body to which his parent belongs:

(2.) The time or times during which any religious observance is practised or instruction in religious subjects is given at any meeting of the school shall be either at the beginning or at the end or at the beginning and the end of such meeting, and shall be inserted in a time table to be approved by the Education Department, and to be kept permanently and conspicuously affixed in every schoolroom; and any scholar may be withdrawn by his parent from such observance or instruction without forfeiting any of the other benefits of the school:

(3.) The school shall be open at all times to the inspection of any of Her Majesty's inspectors, so, however, that it shall be no part of the duties of such inspector to inquire into any instruction in religious subjects given at such school, or to examine any scholar therein in religious knowledge or in any religious subject or book:

(4.) The school shall be conducted in accordance with the conditions required to be fulfilled by an elementary school in order to obtain an annual parliamentary grant.

Proceedings for Supply of Schools.

Determination by Education Department of deficiency of public school accommodation.

8. For the purpose of determining with respect to every school district the amount of public school accommodation, if any, required for such district, the Education Department shall, immediately after the passing of this Act, cause such returns to be made as in this Act mentioned, and on receiving those returns, and after such inquiry, if any, as they think necessary, shall consider whether any and what public school accommodation is required for such district, and in so doing they shall take into consideration every school, whether public elementary or not, and whether actually situated in the school district or not, which in their opinion gives, or will when completed give, efficient elementary education to, and is, or will when completed be, suitable for the children of such district.

Notice by Education Department of public school accommodation required.

9. The Education Department shall publish a notice of their decision as to the public school accommodation for any school district, setting forth with respect to such district the description thereof, the number, size, and description of the schools (if any) available for such district, which the Education Department have taken into consideration as above mentioned, and the amount and description of the public school accommodation, if any, which appears to them to be required for the district, and any other particulars which the Education Department think expedient.

If any persons being either—

(1.) Ratepayers of the district, not less than ten, or if less than ten being rated to the poor rate upon a rateable value of not less than one third of the whole rateable value of the district, or,

(2.) The managers of any elementary school in the district,

feel aggrieved by such decision, such persons may, within one month after the publication of the notice, apply in writing to the Education Department for and the Education Department shall direct the holding of a public inquiry in manner provided by this Act.

At any time after the expiration of such month, if no public inquiry is directed, or after the receipt of the report made after such inquiry, as the case may be, the Education Department may, if they think that the amount of public school accommodation for the district is insufficient, publish a final notice stating the same particulars as were contained in the former notice, with such modifications (if any) as they think fit to make, and directing that the public school accommodation therein mentioned as required be supplied.

Formation of school board and requisition to provide schools.

10. If after the expiration of a time, not exceeding six months, to be limited by the final notice, the Education Department are satisfied that all the public school accommodation required by the final notice to be supplied has not been so supplied, nor is in course of being supplied with due despatch, the Education Department shall cause a school board to be formed for the district as provided in this Act, and shall send a requisition to the school board so formed requiring them to take proceedings forthwith for supplying the public school accommodation mentioned in the requisition, and the school board shall supply the same accordingly.

Proceedings on default of school board.

11. If the school board fail to comply with the requisition within twelve months after the sending of such requisition in manner aforesaid, they shall be deemed to be in default, and if the Education Department are satisfied that such board are in default they may proceed in manner directed by this Act with respect to a school board in default.

Formation of school boards without inquiry upon application.

12. In the following cases, (that is to say,)

(1.) Where application is made to the Education Department with respect to any school district by the persons who, if there were a school board in that district, would elect the school board, or with respect to any borough, by the council;

(2.) Where the Education Department are satisfied that the managers of any elementary school in any school district are unable or unwilling any longer to maintain such school, and that if the school is discontinued the amount of public school accommodation for such district will be insufficient,

the Education Department may, if they think fit, without making the inquiry or publishing the notices required by this Act before the formation of a school board, but after such inquiry public or other, and such notice as the Education Department think sufficient, cause a school board to be formed for such district, and send a requisition to such school board in the same manner in all respects as if they had published a final notice.

An application for the purposes of this section may be made by a resolution passed by the said electing body after notice published at least a week previously, or by the Council, and the provisions of the second part of the second schedule to this Act with respect to the passing of such resolution shall be observed.

Proceedings by Education Department after the first year.

13. After the receipt of any returns under this Act subsequently to the first with respect to any school district, and after such inquiry as the Education Department think necessary, the Education Department shall consider whether any and what public school accommodation is required in such district in the same manner as in the case of the first returns under this Act, and where in such district there is no school board acting under this Act they may issue notices and take pro-

ceedings in the same manner as they may after the receipt of the first returns under this Act, and where there is a school board in such district they shall proceed in manner directed by this Act.

Management and Maintenance of Schools by School Board.

Management of school by school board.

14. Every school provided by a school board shall be conducted under the control and management of such board in accordance with the following regulations:

(1.) The school shall be a public elementary school within the meaning of this Act:

(2.) No religious catechism or religious formulary which is distinctive of any particular denomination shall be taught in the school.

Appointment of managers by school board.

15. The school board may, if they think fit, from time to time delegate any of their powers under this Act except the power of raising money, and in particular may delegate the control and management of any school provided by them, with or without any conditions or restrictions, to a body of managers appointed by them, consisting of not less than three persons.

The school board may from time to time remove all or any of such managers and within the limits allowed by this section add to or diminish the number of or otherwise alter the constitution or powers of any body of managers formed by it under this section.

Any manager appointed under this section may resign on giving written notice to the board. The rules contained in the third schedule to this Act respecting the proceedings of bodies of managers appointed by a school board shall be observed.

Neglect by board of regulations of public elementary schools.

16. If the school board do or permit any act in contravention of or fail to comply with the regulations according to which a school provided by them is required by this Act to be conducted, the Education Department may declare the school board to be and such board shall accordingly be deemed to be a board in default, and the Education Department may proceed accordingly, and every act or omission of any member of the school board, or manager appointed by them, or any person under the control of the board, shall be deemed to be permitted by the board, unless the contrary be proved.

If any dispute arises as to whether the school board have done or permitted any act in contravention of or have failed to comply with the said regulations, the matter shall be referred to the Education Department, whose decision thereon shall be final.

Fees of children.

17. Every child attending a school provided by any school board shall pay such weekly fee as may be prescribed by the school board, with the consent of the Education Department, but the school board may from time to time, for a renewable period not exceeding six months, remit the whole or any part of such fee in the case of any child when they are of opinion

that the parent of such child is unable from poverty to pay the same, but such remission shall not be deemed to be parochial relief given to such parent.

Maintenance by school board of schools and sufficient school accommodation.

18. The school board shall maintain and keep efficient every school provided by such board, and shall from time to time provide such additional school accommodation as is, in their opinion, necessary in order to supply a sufficient amount of public school accommodation for their district.

A school board may discontinue any school provided by them, or change the site of any such school, if they satisfy the Education Department that the school to be discontinued is unnecessary, or that such change of site is expedient.

If at any time the Education Department are satisfied that a school board have failed to perform their duty, either by not maintaining or keeping efficient every school provided by them, or by not providing such additional school accommodation as in the opinion of the Education Department is necessary in order to supply a sufficient amount of public school accommodation in their district, the Education Department may send them a requisition requiring them to fulfil the duty which they have so failed to perform; and if the school board fail within the time limited by such requisition, not being less than three months, to comply therewith to the satisfaction of the Education Department, such board shall be deemed to be a school board in default, and the Education Department may proceed accordingly.

Powers of school board for providing schools.

19. Every school board for the purpose of providing sufficient public school accommodation for their district, whether in obedience to any requisition or not, may provide, by building or otherwise, schoolhouses properly fitted up, and improve, enlarge, and fit up any schoolhouse provided by them, and supply school apparatus and everything necessary for the efficiency of the schools provided by them, and purchase and take on lease any land, and any right over land, or may exercise any of such powers.

Compulsory purchase of sites.

20. With respect to the purchase of land by school boards for the purposes of this Act, the following provisions shall have effect; (that is to say,)

Regulations as to the purchase of land compulsorily.

(1.) The Lands Clauses Consolidation Act, 1845, and the Acts amending the same, shall be incorporated with this Act, except the provisions relating to access to the special Act; and in construing those Acts for the purposes of this section the special Act shall be construed to mean this Act, and the promoters of the undertaking shall be construed to mean the school board, and land shall be construed to include any right over land:

(2.) The school board, before putting in force any of the powers of the said Acts with respect to the purchase and taking of land otherwise than by agreement, shall—

Publication of notices.

(a.) Publish during three consecutive weeks in the months of October and November, or either of them, a notice describing shortly the object for which the land is proposed to be taken, naming a place where a plan of the land proposed to be taken may be seen at all reasonable hours, and stating the quantity of land that they require; and shall further,

Service of notices.

(b.) After such publication, serve a notice in manner mentioned in this section on every owner or reputed owner, lessee or reputed lessee, and occupier of such land, defining in each case the particular land intended to be taken, and requiring an answer stating whether the person so served assents, dissents, or is neuter in respect of taking such land;

(c.) Such notice shall be served—

(a.) By delivery of the same personally on the person required to be served, or, if such person is absent abroad, to his agent; or

(b.) By leaving the same at the usual or last known place of abode of such person as aforesaid, or by forwarding the same by post in a registered letter, addressed to the usual or last known place of abode of such person:

Petition to Education Department.

(3.) Upon compliance with the provisions contained in this section with respect to notices the school board may, if they think fit, present a petition under their seal to the Education Department, praying that an order may be made authorising the school board to put in force the powers of the said Acts with respect to the purchase and taking of land otherwise than by agreement, so far as regards the land therein mentioned; the petition shall state the land intended to be taken and the purposes for which it is required, and the names of the owners, lessees, and occupiers of land who have assented, dissented, or are neuter in respect of the taking of such land, or who have returned no answer to the notice, and shall be supported by such evidence as the Education Department may from time to time require:

(4.) If, on consideration of the petition and proof of the publication and service of the proper notices, the Education Department think fit to proceed with the case, they may, if they think fit, appoint some person to inquire in the district in which the land is situate respecting the propriety of the proposed order, and also direct such person to hold a public inquiry:

(5.) After such consideration and proof, and after receiving a report made upon any such inquiry, the Education Department may make the order prayed for, authorising the school board to put in force with reference to the land referred to in such order the powers of the said Acts with respect to the purchase and taking of land otherwise than by agreement, or any of them, and either absolutely or with such conditions and modifications as they may think fit, and it shall be the duty of the school board to serve a copy of any order so made in the manner and upon the persons in which and upon whom notices in respect of the land to which the order relates are required by this Act to be served:

No order valid until confirmed by Parliament.

(6.) No order so made shall be of any validity unless the same has been confirmed by Act of Parliament; and it shall be lawful for the Education Department, as soon as conveniently may be, to obtain such confirmation, and the Act confirming such order shall be deemed to be a public general Act of Parliament:

(7.) The Education Department, in case of their refusing or modifying such order, may make such order as they think fit for the allowance of the costs, charges, and expenses of any person whose land is proposed to be taken of and incident to such application and inquiry respectively:

Costs how to be defrayed.

(8.) All costs, charges, and expenses incurred by the Education Department in relation to any order under this section shall, to such amount as the Commissioners of Her Majesty's Treasury think proper to direct, and all costs, charges, and expenses of any person which shall be so allowed by the Education Department as aforesaid shall, become a charge upon the school fund of the district to which such order relates, and be repaid to the said Commissioners of Her Majesty's Treasury or to such person respectively, by annual instalments not exceeding five, together with interest after the yearly rate of five pounds in the hundred, to be computed from the date of any such direction of the said Commissioners, or allowance of such costs, charges, and expenses respectively upon so much of the principal sum due in respect of the said costs, charges, and expenses as may from time to time remain unpaid.

The School Sites Acts as defined in the fourth schedule to this Act shall apply in the same manner as if the school board were trustees or managers of a school within the meaning of those Acts, and land may be acquired under any of the Acts mentioned in this section, or partly under one and partly under another Act.

Purchase of land by managers of public elementary school.

21. For the purpose of the purchase by the managers of any public elementary school of a schoolhouse for such school, or a site for the same, "The Lands Clauses Consolidation Act, 1845," and the Acts amending the same, (except so much as relates to the purchase of land otherwise than by agreement,) shall be incorporated with this Act; and in construing those Acts for the purposes of this section the special Act shall be construed to mean this Act, and the promoters of the undertaking shall be construed to mean such managers, and land shall be construed to include any right over land.

The conveyance of any land so purchased may be in the form prescribed by the School Sites Acts, or any of them, with this modification, that the conveyance shall express that the land shall be held upon trust for the purposes of a public elementary school within the meaning of this Act, or some one of such purposes which may be specified, and for no other purpose whatever.

Land may be acquired under the Acts incorporated with this section, or under the School Sites Acts, or any of them, or partly under one and partly under another Act.

Any persons desirous of establishing a public elementary school shall be deemed to be managers for the purpose of this section if they obtain the approval of the Education Department to the establishment of such school.

Sale or lease of schoolhouse.

22. The provisions of the Charitable Trusts Acts, 1853 to 1869, which relate to the sale, leasing, and exchange of lands belonging to any charity, shall extend to the sale, leasing, and exchange of the whole or any part of any land or schoolhouse belonging to a school board which may not be required by such board, with this modification, that the Education Department shall for the purposes of this section be deemed to be substituted in those Acts for the Charity Commissioners.

Managers may transfer school to school board.

23. The managers of any elementary school in the district of a school board may, in manner provided by this Act, make an arrangement with the school board for transferring their school to such school board, and the school board may assent to such arrangement.

An arrangement under this section may be made by the managers by a resolution or other act as follows; (that is to say,)

(1.) Where there is any instrument declaring the trusts of the school, and such instrument provides any manner in which or any assent with which a resolution or act binding the managers is to be passed or done, then in accordance with the provisions of such instrument:

(2.) Where there is no such instrument, or such instrument contains no such provisions, then in the manner and with the assent, if any, in and with which it may be shown to the Education Department to have been

usual for a resolution or act binding such managers to be passed or done:

(3.) If no manner or assent can be shown to have been usual, then by a resolution passed by a majority of not less than two thirds of those members of their body who are present at a meeting of the body summoned for the purpose, and vote on the question, and with the assent of any other person whose assent under the circumstances appears to the Education Department to be requisite.

And in every case such arrangement shall be made only—

(1.) With the consent of the Education Department; and,

(2.) If there are annual subscribers to such school, with the consent of a majority, not being less than two thirds in number, of those of the annual subscribers who are present at a meeting duly summoned for the purpose, and vote on the question.

Provided that where there is any instrument declaring the trusts of the school, and such instrument contains any provision for the alienation of the school by any persons or in any manner or subject to any consent, any arrangement under this section shall be made by the persons in the manner and with the consent so provided.

Where it appears to the Education Department that there is any trustee of the school who is not a manager, they shall cause the managers to serve on such trustee, if his name and address are known, such notice as the Education Department think sufficient; and the Education Department shall consider and have due regard to any objections and representations he may make respecting the proposed transfer.

The Education Department shall consider and have due regard to any objections and representations respecting the proposed transfer which may be made by any person who has contributed to the establishment of such school.

After the expiration of six months from the date of transfer the consent of the Education Department shall be conclusive evidence that the arrangement has been made in conformity with this section.

An arrangement under this section may provide for the absolute conveyance to the school board of all the interest in the schoolhouse possessed by the managers or by any person who is trustee for them or for the school, or for the lease of the same, with or without any restrictions, and either at a nominal rent or otherwise, to the school board, or for the use by the school board of the schoolhouse during part of the week, and for the use of the same by the managers or some other person during the remainder of the week, or for any arrangement that may be agreed on. The arrangement may also provide for the transfer or application of any endowment belonging to the school, or for the school board undertaking to discharge any debt charged on the school not exceeding the

value of the interest in the schoolhouse or endowment transferred to them.

When an arrangement is made under this section the managers may, whether the legal interest in the schoolhouse or endowment is vested in them or in some person as trustee for them or the school, convey to the school board all such interest in the schoolhouse and endowment as is vested in them or in such trustee, or such smaller interest as may be required under the arrangement.

Nothing in this section shall authorise the managers to transfer any property which is not vested in them, or a trustee for them, or held in trust for the school; and where any person has any right given him by the trusts of the school to use the school for any particular purpose independently of such managers, nothing in this section shall authorise any interference with such right except with the consent of such person.

Every school so transferred shall, to such extent and during such times as the school board have under such arrangement any control over the school, be deemed to be a school provided by the school board.

Re-transfer of school by school board to managers.

24. Where any school or any interest therein has been transferred by the managers thereof to the school board of any school district in pursuance of this Act, the school board of such district may, by a resolution passed as herein-after mentioned, and with the consent of the Education Department, re-transfer such school or such interest therein to a body of managers qualified to hold the same under the trusts of the school as they existed before such transfer to the school board, and upon such re-transfer may convey all the interest in the schoolhouse and in any endowment belonging to the school vested in the school board.

A resolution for the purpose of this section may be passed by a majority of not less than two thirds of those members of the school board who are present at a meeting duly convened for the purpose, and vote on the question.

The Education Department shall not give their consent to any such re-transfer unless they are satisfied that any money expended upon such school out of a loan raised by the school board of such district has been or will on the completion of the re-transfer be repaid to the school board.

Every school so re-transferred shall cease to be a school provided by a school board, and shall be held upon the same trusts on which it was held before it was transferred to the school board.

Miscellaneous Powers of School Board.

Payment of school fees.

25. The school board may, if they think fit, from time to time, for a renewable period not exceeding six months, pay the whole or any part of the school fees payable at any public elementary school by any child resident in their district whose parent is in their opinion unable from poverty to pay

the same; but no such payment shall be made or refused on condition of the child attending any public elementary school other than such as may be selected by the parent; and such payment shall not be deemed to be parochial relief given to such parent.

Establishment of free school in special cases.

26. If a school board satisfy the Education Department that, on the ground of the poverty of the inhabitants of any place in their district, it is expedient for the interests of education to provide a school at which no fees shall be required from the scholars, the board may, subject to such rules and conditions as the Education Department may prescribe, provide such school, and may admit scholars to such school without requiring any fee.

Contribution to industrial schools. 29 & 30 Vict. c. 118.

27. A school board shall have the same powers of contributing money in the case of an industrial school as is given to a prison authority by section twelve of "The Industrial Schools Act, 1866;" and upon the election of a school board in a borough the council of that borough shall cease to have power to contribute under that section.

Establishment of industrial school.

28. A school board may, with the consent of the Education Department, establish, build, and maintain a certified industrial school within the meaning of the Industrial Schools Act, 1866, and shall for that purpose have the same powers as they have for the purpose of providing sufficient school accommodation for their district: Provided that the school board, so far as regards any such industrial school, shall be subject to the jurisdiction of one of Her Majesty's Principal Secretaries of State in the same manner as the managers of any other industrial school are subject, and such school shall be subject to the provisions of the said Act, and not of this Act.

Constitution of School Boards.

School board.

29. The school board shall be elected in manner provided by this Act,—in a borough by the persons whose names are on the burgess roll of such borough for the time being in force, and in a parish not situate in the metropolis by the ratepayers.

At every such election every voter shall be entitled to a number of votes equal to the number of the members of the school board to be elected, and may give all such votes to one candidate, or may distribute them among the candidates, as he thinks fit.

The school board in the metropolis shall be elected in manner herein-after provided by this Act.

Constitution of school board.

30. With respect to the constitution of a school board the following provisions shall have effect:

(1.) The school board shall be a body corporate, by the name of the school board of the district to which they belong, having a perpetual succession and a common seal, with power to acquire and hold land for the purposes of this Act without any licence in mortmain:

(2.) No act or proceeding of the school board shall be questioned on account of any vacancy or vacancies in their body:

(3.) No disqualification of or defect in the election of any persons or person acting as members or member of the school board shall be deemed to vitiate any proceedings of such board in which they or he have taken part, in cases where the majority of members parties to such proceedings were duly entitled to act:

(4.) Any minute made of proceedings at meetings of the school board, if signed by any person purporting to be the chairman of the board, either at the meeting of the board at which such proceedings took place or at the next ensuing meeting of the board, shall be receivable in evidence in all legal proceedings without further proof, and until the contrary is proved every meeting of the school board, in respect of the proceedings of which minutes have been so made, shall be deemed to have been duly convened and held, and all the members thereof to have been duly qualified to act:

(5.) The members of a school board may apply any money in their hands for the purpose of indemnifying themselves against any law costs or damages which they may incur in or in consequence of the execution of the powers granted to them:

(6.) The rules contained in the third schedule to this Act with respect to the proceedings of school boards, and the other matters therein contained, shall be observed.

Election of school board.

31. With respect to the election under this Act of a school board, except in the metropolis, the following provisions shall have effect:

(1.) The number of members of a school board shall be such number, not less than five nor more than fifteen, as may be determined in the first instance by the Education Department, and afterwards from time to time by a resolution of the school board approved by the Education Department:

(2.) The regulations contained in the second schedule to this Act with respect to the election and retirement of the members of the school board, and the other matters therein contained, shall be of the same force as if they were enacted as part of this section:

(3.) The Education Department may, at any time after the date at which they are authorised under this Act to cause a school board to be formed, send a requisition to the mayor or other officer or officers who have power to take proceedings for holding the election requiring him or them to take such proceedings, and

the mayor or other officer or officers shall comply with such requisition; and in case of default some person appointed by the Education Department may take such proceedings, and shall have for that purpose the same powers as the person in default.

Non-election, &c. of school board.

32. If from any cause in any school district the school board either are not elected at the time fixed for the first election, or at any time cease to be in existence, or to be of sufficient number to form a quorum by reason of non-election, resignation, or otherwise, or neglect or refuse to act, the Education Department may proceed in the same manner as if there were a school board acting in such district, and that board were a board in default.

Determination of disputes as to the election of school boards.

33. In case any question arises as to the right of any person to act as a member of a school board under this Act, the Education Department may, if they think fit, inquire into the circumstances of the case, and make such order as they deem just for determining the question, and such order shall be final unless removed by writ of certiorari during the term next after the making of such order.

Disqualification of member of board.

34. No member of a school board, and no manager appointed by them, shall hold or accept any place of profit the appointment to which is vested in the school board or in any managers appointed by them, nor shall in any way share or be concerned in the profits of any bargain or contract with or any work done under the authority of such school board or managers appointed by them: Provided that this section shall not apply to—

(1.) Any sale of land or loan of money to a school board; or,

(2.) Any bargain or contract made with or work done by a company in which such member holds shares; or

(3.) The insertion of any advertisement relating to the affairs of any such school board in any newspaper in which such member has a share or interest,

if he does not vote with respect to such sale, loan, bargain, contract, work, or insertion.

Any person who acts in contravention of this section shall be liable, on summary conviction, to a penalty not exceeding fifty pounds, and the said place of profit and his office as member or manager shall be vacant.

Appointment of officers.

35. A school board may appoint a clerk and a treasurer and other necessary officers, including the teachers required for any school provided by such board, to hold office during the pleasure of the board, and may assign them such salaries or remuneration (if any) as they think fit, and may from time to time remove any of such officers; but no such appointment shall be made, except at the first meeting of such board, unless notice in writing has been sent to every member of the board.

Two or more school boards may arrange for the appointment of the same person to be an officer to both or all such boards.

Such officers shall perform such duties as may be assigned to them by the board or boards who appoint them.

Officer to enforce attendance at school.

36. Every school board may, if they think fit, appoint an officer or officers to enforce any byelaws under this Act with reference to the attendance of children at school, and to bring children who are liable under the Industrial Schools Act, 1866, to be sent to a certified industrial school before two justices in order to their being so sent, and any expenses incurred under this section may be paid out of the school fund.

School Board in Metropolis.

School board in metropolis.

37. The provisions of this Act with respect to the formation and the election of school boards in boroughs and parishes shall not extend to the metropolis; and with respect to a school board in the metropolis the following provisions shall have effect:

(1.) The school board shall consist of such number of members elected by the divisions specified in the fifth schedule to this Act as the Education Department may by order fix:

(2.) The Education Department, as soon as may be after the passing of this Act, shall by order determine the boundaries of the said divisions for the purposes of this Act, and the number of members to be elected by each such division:

(3.) The provisions of this Act with respect to the constitution of the school board shall extend to the constitution of the school board under this section, and the name of the school board shall be the School Board for London:

(4.) The first election of the school board shall take place on such day, as soon as may be after the passing of this Act, as the Education Department may appoint, and subsequent elections shall take place in the month of November every third year on the day from time to time appointed by the school board:

(5.) At every election for each division every voter shall be entitled to a number of votes equal to the number of the members of the school board to be elected for such division, and may give all such votes to one candidate, or may distribute them among the candidates, as he thinks fit:

(6.) Subject to the provisions contained in this section and in any order made by the Education Department under the power contained in the second schedule to this Act, the members of the board shall, in the city of London, be elected by the same persons and

in like manner as common councilmen are elected, and in the other divisions of the metropolis shall be elected by the same persons and in the same manner as vestrymen under The Metropolis Management Act, 1855, and the Acts amending the same; and, subject as aforesaid, the Acts relating to the election of common councilmen, and sections fourteen to nineteen, and twenty-one to twenty-seven, all inclusive, of The Metropolis Management Act, 1855, and section thirty-six of The Metropolis Management Amendment Act, 1862, shall, so far as is consistent with the tenor thereof, apply in the case of the election of members of the school board:

(7.) The school board shall proceed at once to supply their district with sufficient public school accommodation, and any requisition sent by the Education Department to such board may relate to any of the divisions mentioned in the fifth schedule to this Act in like manner as if it were a school district, and it shall not be necessary for the Education Department to publish any notices before sending such requisition:

(8.) The Education Department may, in the order fixing the boundaries of such divisions, name some person who shall be the returning officer for the purposes of the first election of the school board, and the person who is to be the deputy returning officer in each such division:

(9.) The chairman of the school board shall be elected by the school board, and any chairman who may be elected by the board may be elected either from the members of the board or not, and any chairman who is not an elected member of the board shall, by virtue of his office, be a member of the board as if he had been so elected:

(10.) The school board shall apportion the amount required to be raised to meet the deficiency in the school fund among the different parts of the metropolis mentioned in the third column of the first schedule to this Act in proportion to the rateable value of such parts as shown by the valuation lists for the time being in force under "The Valuation (Metropolis) Act, 1869," or, if any amount is so required before any such valuation list comes into force, in the same proportion and according to the same basis in and according to which the then last rate made by the Metropolitan Board of Works was assessed:

(11.) For obtaining payment of the amount specified in any precept sent by the school board to the rating authority for any part of the metropolis, the school board, in addition to any other powers and remedies, shall

have the like powers as the Metropolitan Board of Works have for obtaining payment of any sum assessed by them on the same part of the metropolis.

Payment of chairman.

38. The school board for London may pay to the chairman of such board such salary as they may from time to time, with the sanction of the Education Department, fix.

Alteration of number of members.

39. If at any time application is made to the Education Department by the school board for London, or by any six members of that board, and it is shown to the satisfaction of the Education Department that the population of any of the divisions mentioned in the fifth schedule to this Act, as shown by any census taken under the authority of Parliament, has varied materially from that shown by the previous census, or that the rateable value of any of the said divisions has materially varied from the rateable value of the same division ten years previously, the Education Department, after such inquiry as they think necessary, may, if they think fit, make an order altering, by way of increase or decrease, the number of members of that and any other division.

United School Districts.

Formation by Education Department of united districts.

40. Where the Education Department are of opinion that it would be expedient to form a school district larger than a borough or a parish or any school district formed under this Act, they may, except in the metropolis, by order made after such inquiry and notice as herein-after mentioned, form a united school district by uniting any two or more adjoining school districts, and upon such union cause a school board to be formed for such united school district.

A united school district shall for all the purposes of this Act be deemed to be a school district, and shall throughout this Act be deemed to be substituted for the school districts out of which it is constituted, and the school board of the united school district shall be the school board appointed under this Act, and the local rate and rating authority for the united district shall be in each of the constituent districts thereof the same as if such constituent district did not form part of the united school district.

Conditions of formation of district.

41. The Education Department, as soon as may be after the passing of this Act, may cause inquiry to be made into the expediency of uniting any two or more school districts, and if after such inquiry they are of opinion that it would be expedient to unite any such school districts, they shall in the notice of their decision as to the public school accommodation for such districts state that they propose to unite such districts, and the provisions of this Act with respect to the application for a public inquiry by persons aggrieved by the said notice, and to the holding of such public inquiry, and to the final notice, shall apply in the case of the proposed union of districts, with this qualification, that it shall not be necessary to cause a

public inquiry to be held with respect to the union of districts until after the expiration of the period allowed by the final notice for the supply of the school accommodation. The order for the union may be made at the time when the Education Department are first authorised to cause a school board to be formed or subsequently. Where a union of districts is proposed the Education Department shall consider whether any public school accommodation is required for the area proposed as the united district instead of for each of the districts constituting such area, and their decision as to the public school accommodation and the notice of such decision shall accordingly refer to such area, and not separately to each of the constituent districts.

As to dissolution of united school district.

42. The Education Department may, by order made after such inquiry and notice as herein-after mentioned, dissolve a united school district, and may deal with the constituent districts thereof in the same manner as if they had never been united, and may cause school boards to be elected therein.

Public inquiry as to united district in future.

43. The Education Department may at any time, after any proceedings after the first returns under this Act, if they think fit, cause inquiry to be made into the expediency of forming or dissolving a united school district, and where they propose at any time after such inquiry to form or dissolve a united school district, they shall publish notice of the proposed order not less than three months before the order is made; the like persons as are authorised to apply for a public inquiry after the first returns made under this Act may, if they feel aggrieved by the proposed order, apply in like manner for a public inquiry, and the Education Department shall cause a public inquiry to be held, and shall consider the report made to them upon such inquiry before they make the order for such formation or dissolution.

Order to be evidence of formation or dissolution.

44. Any order of the Education Department forming or dissolving a united district shall be evidence of the formation or dissolution of such district, and after the expiration of three months from the date of such order the district shall be presumed to have been duly formed or dissolved, as the case may be, and no objection to the formation or dissolution thereof shall be entertained in any legal proceedings whatever.

Constitution of school board in united school district.

45. The provisions in this Act respecting the constitution of the school board shall apply to the constitution of the school board in a united school district, and the name of the district shall be such as may be prescribed by the Education Department.

Election of school board in united school district.

46. In a united school district the school board shall be such number of members elected by the electors of the district as may be specified in the order forming the district, subject nevertheless to alteration in the same manner as in the case of any other school board; and every person who in any of the districts constituting such united district would be entitled if it were not united to vote at the election of members of a

school board for such constituent district shall be an elector for the purposes of this section, and the provisions of this Act respecting the election of a school board in a district shall extend to the election of such members.

Arrangements on formation of united district.

47. Where any part of a proposed united school district includes any district or part of a district in which there is a school board already acting under this Act, or where a united school district is dissolved, the Education Department may by order dissolve the then existing school board, or make all necessary changes in the constitution of such existing school board, and may by order make proper arrangements respecting the schools, property, rights, and liabilities of such board, and all arrangements which may be necessary.

As to small parishes.

48. If the Education Department are of opinion that any parish in a united school district has too few ratepayers to be entitled to act as a separate parish for the purposes of this Act, they may by order direct that it shall for the purpose of voting for a member or members of the school board, and for all or any of the purposes of this Act, be added to another parish, and thereupon the persons who would be entitled to vote and attend the vestry if it were a parish shall be entitled for the purpose of voting and for such purposes to vote in and attend the vestry of the parish to which their parish is so added. All the parishes comprised in a united district, or any two or more of them, may be added together in pursuance of this section.

Contributory Districts.

Contributory district.

49. The Education Department may by order direct that one school district shall contribute towards the provision or maintenance of public elementary schools in another school district or districts, and in such case the former (or contributing district) shall pay to the latter (or school owning district or districts) such proportion of the expenses of such provision or maintenance or a sum calculated in such manner as the Education Department may from time to time prescribe.

Election of members by contributory district.

50. Where one school district contributes to the provision or maintenance of any school in another school district, such number of persons as the Education Department (having regard to the amount to be contributed by the contributing district) direct shall be elected in the contributing district, and shall be members of the school board of the school owning district, but such last-mentioned district shall, except so far as regards the raising of money and the attendance of children at school, be deemed alone to be the district of such school board; such members shall be elected by the school board, if any, or, if there is none, by the persons who would elect a school board if there were one, in the same manner as a school board would be elected.

Notices and public inquiry

51. The provisions of this Act with respect to the notices to be published, and the application for and the holding of a

public inquiry in the case of an order for the formation of an united district, shall apply, mutatis mutandis, to an order respecting a contributory district. as to contributory district.

An order respecting a contributory district shall be evidence of the formation of such district, and after the expiration of three months from the date thereof shall be presumed to have been duly made, and no objection to the legality thereof shall be entertained in any legal proceeding whatever.

Any such order may be revoked or altered by an order of the Education Department, and a new order may be made in lieu thereof, and all the provisions of this Act respecting the making of an order for contribution shall apply to the making of an order for the revocation or alteration of an order for contribution.

52. The school boards of any two or more school districts, with the sanction of the Education Department, may combine together for any purpose relating to elementary schools in such districts, and in particular may combine for the purpose of providing, maintaining, and keeping efficient schools common to such districts. Such agreements may provide for the appointment of a joint body of managers under the provisions of this Act with respect to the appointment of a body of managers, and for the proportion of the contributions to be paid by each school district, and any other matters which, in the opinion of the Education Department, are necessary for carrying out such agreement, and the expenses of such joint body of managers shall be paid in the proportions specified in the agreement by each of the school boards out of their school fund. Combination of school boards.

Expenses.

53. The expenses of the school board under this Act shall be paid out of a fund called the school fund. There shall be carried to the school fund all moneys received as fees from scholars, or out of moneys provided by Parliament, or raised by way of loan, or in any manner whatever received by the school board, and any deficiency shall be raised by the school board as provided by this Act. School fund of school board.

54. Any sum required to meet any deficiency in the school fund, whether for satisfying past or future liabilities, shall be paid by the rating authority out of the local rate. Deficiency of school fund raised out of rates.

The school board may serve their precept on the rating authority, requiring such authority to pay the amount specified therein to the treasurer of the school board out of the local rate, and such rating authority shall pay the same accordingly, and the receipt of such treasurer shall be a good discharge for the amount so paid, and the same shall be carried to the school fund.

If the rating authority have no moneys in their hands in respect of the local rate, they shall, or if they have paid the amount then for the purpose of reimbursing themselves they

may, notwithstanding any limit under any Act of Parliament or otherwise, levy the said rate, or any contributions thereto, or any increase of the said rate or contributions, and for that purpose shall have the same powers of levying a rate and requiring contributions as they have for the purpose of defraying expenses to which the local rate is ordinarily applicable.

Apportionment of school fund in united and contributory district.

55. In a united district the school board shall apportion the amount required to meet the deficiency in the school fund among the districts constituting such united district in proportion to the rateable value of each such constituent district, and may raise the same by a precept sent to the rating authority of each constituent district.

Where one school district contributes to the expenses of the schools in another school district, the authority of the school owning district may send their precept either to the school board, if any, or to the rating authority of the contributing district, requiring them to pay to their treasurer the amount therein specified, and such authority or board shall pay the same accordingly, and the receipt of the treasurer shall be a good discharge for the same, and such amount, if paid by the school board, shall be paid out of the school fund.

The precept, if sent to the rating authority, either on the default of the school board or otherwise, shall be deemed to be a precept for meeting a deficiency in the school fund, and the provisions of this Act shall apply accordingly.

Remedy of school board on default of rating authority, &c.

56. In either the following cases, that is to say,

(1.) If the rating authority of any place make default in paying the amount specified in any precept of the school board; or

(2.) Where a school board require to raise a sum from any place which is part of a parish,

then, without prejudice to any other remedy, the school board may appoint an officer or officers to act within such place; and the officer or officers so from time to time appointed shall have within the said place, for the purpose of defraying the sum due from such place, all the powers of the rating authority of levying the local rate and any contributions thereto, and also all the powers of making and levying a rate which he or they would have if the said place were a parish, and such rate were a rate for the relief of the poor, and he or they were duly appointed an overseer or overseers of such parish, and he and they shall have such access to and use of the documents of the rating authority of such place relative to the local rate, and of all the valuation lists and rate books of the parish or parishes comprised in or comprising such place, as he or they may require.

Borrowing by school board.

57. Where a school board incur any expense in providing or enlarging a schoolhouse, they may, with the consent of the Education Department, spread the payment over several years, not exceeding fifty, and may for that purpose borrow money on the security of the school fund and local rate, and may

charge that fund and the local rate with the payment of the principal and interest due in respect of the loan. They may, if they so agree with the mortgagee, pay the amount borrowed, with the interest, by equal annual instalments, not exceeding fifty, and if they do not so agree, they shall annually set aside one fiftieth of the sum borrowed as a sinking fund.

For the purpose of such borrowing the clauses of "The Commissioners Clauses Act, 1847," with respect to the mortgages to be executed by the commissioners, shall be incorporated with this Act; and in the construction of those clauses for the purpose of this Act, this Act shall be deemed to be the special Act, and the school board which is borrowing shall be deemed to be the commissioners. 10 & 11 Vict. c. 16.

The Public Works Loan Commissioners may, on the recommendation of the Education Department, lend any money required under this section on the security of the school fund and local rate without requiring any further or other security, such loan to be repaid within a period not exceeding fifty years, and to bear interest at the rate of three and a half per centum per annum.

58. Any sum borrowed by the school board for London in pursuance of this Act, with the approval of the Education Department, may be borrowed from and may be lent by the Metropolitan Board of Works, and section thirty-seven of The Metropolitan Board of Works Loan Act, 1869, shall apply to such loan in the same manner as if the managers therein mentioned were the school board for London, and there were added to the sum therein authorised to be borrowed the sum authorised by the Education Department to be borrowed under this section. Borrowing by school board for London.

Accounts and Audit.

59. The accounts of the school board shall be made up and balanced to the twenty-fifth of March and twenty-ninth of September in every year. The accounts shall be examined by the school board and signed by the chairman within fourteen days after the day to which they are made up. Accounts to be made up and examined.

As soon as practicable after the accounts are so signed they shall be audited.

60. With respect to the audit of accounts of the school board the following provisions shall have effect: Audit of accounts.

(1.) The auditor shall be the auditor of accounts relating to the relief of the poor for the audit district in which the school district is situate, or if it is situate in more than one audit district by the auditor of such of the said audit districts as the Poor Law Board may direct, and the term audit district in this provision shall be construed to include a parish for which an auditor is separately appointed to audit the accounts for the relief of the poor. The auditor shall receive such remuneration as the Poor Law Board direct,

and such remuneration, together with the expenses of or incident to the audit, shall be paid by the school board out of the school fund, and if unpaid may be recovered in a summary manner:

(2.) The audit shall be held at the office of the school board, or some other place sanctioned by the Poor Law Board within the school district, or within the union within which the school district or some part thereof is situate, and at a time which is fixed by the auditor, but which shall be as soon as may be after the account is signed by the chairman:

(3.) The auditor, at least fourteen days before holding the audit, shall serve on the school board, and publish notice of the time and place of holding the same:

(4.) The clerk of the school board, or some person authorised by the school board, shall attend the audit, and produce to the auditor all books, bills, vouchers, and documents relating to the account:

(5.) Any ratepayer of the school district may be present at the audit, and may object to the account:

(6.) The auditor shall, as nearly as may be, have the like powers and be under the like obligation to allow and disallow items in the account, and to charge the school board, or any member or officer thereof, or any person accountable to them or him, with any sum for which they or he may be accountable, as in the case of an audit of the accounts relating to the relief of the poor in any union or parish; and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit:

(7.) The auditor shall have the like powers of requiring the attendance of persons, the production of books, bills, vouchers, and documents, and a declaration respecting vouchers and documents, as in the case of such last-mentioned audit; and any person who refuses or neglects to comply with any such requisition, or wilfully makes or signs a false declaration so required, shall be liable to the same penalties as in the case of such last-mentioned audit:

(8.) Any moneys, books, documents, and chattels certified by the auditor to be due from any person may be recovered from such person in like manner as in the case of such last-mentioned audit, and the expenses incurred in such recovery shall be deemed to be part of the expenses of the audit:

(9.) Subject to the provisions of this section, the Poor Law Board may from time to time make such regulations as may be necessary respecting the form of keeping the accounts and the audit thereof.

Penalty for improper payment of surcharge.

61. Any member or officer of a school board, or manager appointed by them, who authorises or makes, or concurs in authorising or making, any payment or any entry in accounts for the purpose of defraying or making up to himself or any other person the whole or any part of any sum of money unlawfully expended from the school fund, or disallowed or surcharged by any auditor, shall, on summary conviction, be liable to pay a penalty not exceeding twenty pounds and double the amount of such sum.

Publication of accounts.

62. When the auditor has completed the audit he shall sign the balance sheet.

The school board shall cause a statement showing their receipts and expenditure to be printed in such form and with such particulars as may be from time to time prescribed by the Education Department, and shall send the same within thirty days after the balance sheet is signed by the auditor to each member of the rating authority, and to the overseers of every parish in the district, and to the Education Department; and the school board may, if they think fit, publish such statement or an abstract thereof in any local newspaper or newspapers circulating in the district, and shall furnish a copy of such statement to any ratepayer in the district, on his application, and on the payment of a sum not exceeding sixpence.

Defaulting School Board.

Proceedings on default by school board.

63. Where the Education Department are, after such inquiry as they think sufficient, satisfied that a school board is in default as mentioned in this Act, they may by order declare such board to be in default, and by the same or any other order appoint any persons, not less than five or more than fifteen, to be members of such school board, and may from time to time remove any member so appointed, and fill up any vacancy in the number of such members, whether caused by removal, resignation, death, or otherwise, and, subject as aforesaid, add to or diminish the number of such members.

After the date of the order of appointment the persons (if any) who were previously members of the school board shall be deemed to have vacated their offices as if they were dead, but any such member may be appointed a member by the Education Department. The members so appointed by the Education Department shall be deemed to be members of the school board in the same manner in all respects as if, by election or otherwise, they had duly become members of the school board under the other provisions of this Act, and may perform all the duties and exercise all the powers of the school board under this Act.

The members appointed by the Education Department shall hold office during the pleasure of the Education Department, and when that department consider that the said default has been remedied, and everything necessary for that purpose has been carried into effect, they may, by order, direct that mem-

bers be elected for the school board in the same manner as in the case of the first formation of the school board. After the date fixed by any such order the members appointed by the Education Department shall cease to be members of the school board, and the members so elected shall be members of the school board in their room, but the members appointed by the Education Department shall not be disqualified from being so elected. Until any such order is made no person shall become a member of the school board otherwise than by the appointment of the Education Department.

Where a school board is not elected at the time fixed for the first election, or has ceased to be in existence, the Education Department may proceed in the same manner as if such board had been elected and were in existence.

Certificate of Education Department as to appointment, expenses, and loans.

64. The Education Department may from time to time certify the appointment of any persons appointed to be members of a school board in default, and the amount of expenses that have been incurred by such persons, and the amount of any loan required to be raised for the purpose of defraying any expenses so incurred, or estimated as about to be incurred; and such certificate shall be conclusive evidence that all the requirements of this Act have been duly complied with, and that the persons so appointed have been duly appointed, and that the amounts therein mentioned have been incurred or are required.

Expenses incurred on default.

65. The expenses incurred in the performance of their duties by the persons appointed by the Education Department to be members of a school board, including such remuneration (if any) as the Education Department may assign to such persons, shall, together with all expenses incurred by the board, be paid out of the school fund; and any deficiency in the school fund may be raised by the school board as provided by this Act; and where the Education Department have, either before or after the payment of such expenses, certified that any expenses have been incurred by a school board, or any members appointed by them, such expenses shall be deemed to have been so incurred, and to have been properly paid out of the school fund.

Where the members of a school board have been appointed by the Education Department, such school board shall not borrow or charge the school fund with the principal and interest of any loan exceeding such amount as the Education Department certify as mentioned in this Act to be required.

Dissolution of school boards.

66. Where the Education Department are of opinion that in the case of any school district the school board for such district are in default, or are not properly performing their duties under this Act, they may by order direct that the then members of the school board of such district shall vacate their seats, and that the vacancies shall be filled by a new election; and after the date fixed by any such order the then members of such board shall be deemed to have vacated their seats,

and a new election shall be held in the same manner, and the Education Department shall take the same proceedings for the purpose of such election as if it were the first election; and all the provisions of this Act relating to such first election shall apply accordingly.

The Education Department shall cause to be laid before both Houses of Parliament in every year a special report stating the cases in which they have made any order under this section during the preceding year, and their reasons for making such order.

Returns and Inquiry.

Returns by local authority.

67. On or before the first day of January one thousand eight hundred and seventy-one, or in the case of the metropolis before the expiration of four months from the date of the election of the chairman of the school board, every local authority herein-after mentioned, and subsequently any such local authority whenever required by the Education Department, but not oftener than once in every year, shall send to the Education Department a return containing such particulars with respect to the elementary schools and children requiring elementary education in their district as the Education Department may from time to time require.

Mode of obtaining returns.

68. For the purpose of obtaining such returns the Education Department shall draw up forms, and supply to the local authority such number of forms as may be required; and the managers or principal teacher of every school required to be included in any such return shall fill up the form, and return the same to the local authority within the time specified in that behalf in the form.

Local authority to make returns.

69. The returns shall be made in the metropolis by the school board appointed under this Act, in boroughs by the council, and in every parish not situated in a borough or the metropolis by persons appointed for the purpose or by the overseers of such parish. Where a school board is formed under this Act, the returns shall be made by such school board within their district, instead of by the council, persons appointed as aforesaid, or overseers, as the case may be.

The persons appointed for the purpose may be appointed as follows; namely, the Education Department may, if they think fit, send to the overseers or other officers who have power to summon a vestry in such parish a requisition to summon, and such overseers or other officers shall summon, a vestry in such parish for the purpose of this section; and such vestry shall appoint two or more persons who shall be the local authority for the purpose of the returns under this Act.

The local authority may, with the sanction of the Education Department, employ persons to assist in making such returns, and may pay those persons such remuneration as the Treasury may sanction. That remuneration, and all such other reasonable expenses incurred by the local authority in making such

returns as the Treasury may sanction, shall be paid by the Education Department.

Proceedings on default of authority to make returns.

70. If any local authority fail to make the returns required under this Act, the Education Department may appoint any person or persons to make such returns, and the person or persons so appointed shall for that purpose have the same powers and authorities as the local authority.

Inquiry by inspectors of Education Department.

71. The Education Department may appoint any persons to act as inspectors of returns, who shall proceed to inquire into the accuracy and completeness of any one or more returns made in pursuance of this Act, and into the efficiency and suitability of any school mentioned in any such return, or which ought to have been mentioned therein, and to inspect and examine the scholars in every such school. Where there is no return the inspector shall proceed as if there had been a defective return.

Refusal to fill up forms and to admit inspectors.

72. If the managers or teacher of any school refuse or neglect to fill up the form required for the said return, or refuse to allow the inspector to inspect the schoolhouse or examine any scholar, or examine the school books and registers, or make copies or extracts therefrom, such school shall not be taken into consideration among the schools giving efficient elementary education to the district.

Public Inquiry.

Public inquiry.

73. Where a public inquiry is held in pursuance of the provisions of this Act the following provisions shall have effect:

(1.) The Education Department shall appoint some person who shall proceed to hold the inquiry:

(2.) The person so appointed shall for that purpose hold a sitting or sittings in some convenient place in the neighbourhood of the school district to which the subject of inquiry relates, and thereat shall hear, receive, and examine any evidence and information offered, and hear and inquire into any objections or representations made respecting the subject of the inquiry, with power from time to time to adjourn any sitting.

Notice shall be published in such manner as the Education Department direct of every such sitting (except an adjourned sitting) seven days at least before the holding thereof:

(3.) The person so appointed shall make a report in writing to the Education Department setting forth the result of the inquiry, and stating his opinion on the subject thereof, and his reasons for such opinion, and the objections and representations, if any, made on the inquiry, and his opinion thereon; and the Education Department shall cause a copy of such report to be deposited with the school board (if any), or, if there

is none, the town clerk of the borough, or the churchwardens or overseers of the parishes to which the inquiry relates, and notice of such deposit to be published:

(4.) The Education Department may make an order directing that the costs of the proceedings and inquiry shall be paid, according as they think just, either by the district as if they were expenses of a school board, or by the applicants for the inquiry; and such costs may be recovered, in the former case, as a debt due from the school board, or, if there is no school board, as a debt due from the rating authority, and, in the case of the applicants, as a debt due jointly and severally from them; and the Education Department may, if they think fit, before ordering the inquiry to be held, require the applicants to give security for such expenses, and in case of their refusal may refuse to order the inquiry to be held.

Attendance at School.

As to attendance of children at school.

74. Every school board may from time to time, with the approval of the Education Department, make byelaws for all or any of the following purposes:

(1.) Requiring the parents of children of such age, not less than five years nor more than thirteen years, as may be fixed by the byelaws, to cause such children (unless there is some reasonable excuse) to attend school:

(2.) Determining the time during which children are so to attend school; provided that no such byelaw shall prevent the withdrawal of any child from any religious observance or instruction in religious subjects, or shall require any child to attend school on any day exclusively set apart for religious observance by the religious body to which his parent belongs, or shall be contrary to anything contained in any Act for regulating the education of children employed in labour:

(3.) Providing for the remission or payment of the whole or any part of the fees of any child where the parent satisfies the school board that he is unable from poverty to pay the same:

(4.) Imposing penalties for the breach of any byelaws:

(5.) Revoking or altering any byelaw previously made.

Provided that any byelaw under this section requiring a child between ten and thirteen years of age to attend school shall provide for the total or partial exemption of such child from the obligation to attend school if one of Her Majesty's inspectors certifies that such child has reached a standard of education specified in such byelaw.

Any of the following reasons shall be a reasonable excuse; namely,

(1.) That the child is under efficient instruction in some other manner:

(2.) That the child has been prevented from attending school by sickness or any unavoidable cause:

(3.) That there is no public elementary school open which the child can attend within such distance, not exceeding three miles, measured according to the nearest road from the residence of such child, as the byelaws may prescribe.

The school board, not less than one month before submitting any byelaw under this section for the approval of the Education Department, shall deposit a printed copy of the proposed byelaws at their office for inspection by any ratepayer, and supply a printed copy thereof gratis to any ratepayer, and shall publish a notice of such deposit.

The Education Department before approving of any byelaws shall be satisfied that such deposit has been made and notice published, and shall cause such inquiry to be made in the school district as they think requisite.

Any proceeding to enforce any byelaw may be taken, and any penalty for the breach of any byelaw may be recovered, in a summary manner; but no penalty imposed for the breach of any byelaw shall exceed such amount as with the costs will amount to five shillings for each offence, and such byelaws shall not come into operation until they have been sanctioned by Her Majesty in Council.

It shall be lawful for Her Majesty, by order in Council, to sanction the said byelaws, and thereupon the same shall have effect as if they were enacted in this Act.

All byelaws sanctioned by Her Majesty in Council under this section shall be set out in an appendix to the annual report of the Education Department.

Miscellaneous.

Application of small endowments.

75. Where any school or any endowment of a school was excepted from The Endowed Schools Act, 1869, on the ground that such school was at the commencement of that Act in receipt of an annual parliamentary grant, the governing body (as defined by that Act) of such school or endowment may frame and submit to the Education Department a scheme respecting such school or endowment.

The Education Department may approve such scheme with or without any modifications as they think fit.

The same powers may be exercised by means of such scheme as may be exercised by means of any scheme under The Endowed Schools Act, 1869; and such scheme, when approved by the Education Department, shall have effect as if it were a scheme made under that Act.

A certificate of the Education Department that a school was at the commencement of The Endowed Schools Act, 1869, in receipt of an annual parliamentary grant shall be conclusive evidence of that fact for all purposes.

Inspection of voluntary schools by inspector not one of Her Majesty's inspectors.

76. Where the managers of any public elementary school not provided by a school board desire to have their school inspected or the scholars therein examined, as well in respect of religious as of other subjects, by an inspector other than one of Her Majesty's inspectors, such managers may fix a day or days not exceeding two in any one year for such inspection or examination.

The managers shall, not less than fourteen days before any day so fixed, cause public notice of the day to be given in the school, and notice in writing of such day to be conspicuously affixed in the school.

On any such day any religious observance may be practised, and any instruction in religious subjects given at any time during the meeting of the school, but any scholar who has been withdrawn by his parent from any religious observance or instruction in religious subjects shall not be required to attend the school on any such day.

Parish divided by boundaries of boroughs.

77. Where a parish is situated partly within and partly without a borough, the part situate outside of the borough shall be taken to be for all the purposes of this Act, except as otherwise expressly mentioned, a parish by itself, and the ratepayers thereof may meet in vestry in the same manner in all respects as if they were the inhabitants of a parish; every such meeting, and also the meeting for the purposes of this Act of the ratepayers of any parish (the ratepayers of which have not usually met in vestry), shall be deemed to be a vestry, and, save as provided by this Act, be subject to the Act of the fifty-eighth year of the reign of King George the Third, chapter sixty-nine, and the Acts amending the same, and, subject as aforesaid, shall be summoned by the persons and in the mode prescribed by the Education Department; and the overseers of the whole parish shall be deemed to be the overseers of any such part of a parish.

Education Department may apply to Charity Commissioners under 16 & 17 Vict. c. 137., &c.

78. The Education Department shall, for the purposes of The Charitable Trusts Acts, 1853 to 1869, be deemed to be persons interested in any elementary school to which those Acts are applicable, and the endowment thereof.

Ascertaining rateable value.

79. The rateable value of any parish or school district shall for the purposes of this Act be the rateable value as stated in the valuation lists, if any, and if there are none, then as stated in the rate book for the time being in force in such parish and in the parishes constituting the district; and the overseers and other persons having the custody of such valuation lists and rate book shall, when required by the school board, produce such lists and rate book to the school board, and allow the school board and any person appointed by them to inspect the same, and take copies of or extracts therefrom.

Mode of publication of notices.

80. Notices and other matters required by this Act to be published shall, unless otherwise expressly provided, be published,—

(1.) By advertisement in some one or more of the newspapers circulating in the district or place to which such notice relates:

(2.) By causing a copy of such notices or other matter to be published to be affixed, during not less than twelve hours in the day, on Sunday on or near the principal doors of every church and chapel in such district or place to which notices are usually affixed, and at every other place in such district or place at which notices are usually affixed.

Notices may be served by post.

81. Certificates, notices, requisitions, orders, precepts, and all documents required by this Act to be served or sent may, unless otherwise expressly provided, be served and sent by post, and, till the contrary is proved, shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post; and in proving such service or sending it shall be sufficient to prove that the letter containing the certificate, notice, requisition, order, precept, or document was prepaid, and properly addressed, and put into the post.

Notices to and by school board.

82. Certificates, notices, requisitions, orders, and other documents may be served on a school board by serving the same on their clerk, or by sending the same to or delivering the same at the office of such board.

Certificates, notices, requisitions, orders, precepts, and other documents may be in writing or in print, or partly in writing and partly in print, and if requiring authentication by a school board may be signed by their clerk.

Evidence of orders, &c. of Education Department.

83. All orders, minutes, certificates, notices, requisitions, and documents of the Education Department, if purporting to be signed by some secretary or assistant secretary of the Education Department, shall, until the contrary is proved, be deemed to have been so signed and to have been made by the Education Department, and may be proved by the production of a copy thereof purporting to have been so signed.

The Documentary Evidence Act, 1868, shall apply to the Education Department in like manner as if the Education Department were mentioned in the first column of the schedule to that Act, and any member of the Education Department, or any secretary or assistant secretary of the Education Department, were mentioned in the second column of that schedule.

Effect of requisitions of Education Department.

84. After the expiration of three months from the date of any order or requisition of the Education Department under this Act such order or requisition shall be presumed to have been duly made, and to be within the powers of this Act, and no objection to the legality thereof shall be entertained in any legal proceeding whatever.

Appearance of school board.

85. A school board may appear in all legal proceedings by their clerk, or by some member of the board authorised by a resolution of the board; and every such resolution shall appear upon the minutes of the proceedings of the board, but every such resolution shall, until the contrary is proved, be deemed in any legal proceeding to appear upon such minutes.

Tenure of teacher and his removal from house under sects. 17 and 18 of 4 & 5 Vict. c. 38.

86. The provisions of the School Sites Acts with respect to the tenure of the office of the schoolmaster or schoolmistress, and to the recovery of possession of any premises held over by a master or mistress who has been dismissed or ceased to hold office, shall extend to the case of any school provided by a school board, and of any master or mistress of such school, in the same manner as if the school board were the trustees or managers of the school as mentioned in those Acts.

Ratepayer may inspect books, &c. of school board.

87. Every ratepayer in a school district may at all reasonable times, without payment, inspect and take copies of and extracts from all books and documents belonging to or under the control of the school board of such district.

Any person who hinders a ratepayer from so inspecting or taking copies of or extracts from any book or document, or demands a fee for allowing him so to do, shall be liable, on summary conviction, to a penalty not exceeding five pounds for each offence.

Penalty for making incorrect return.

88. If any returning officer, clerk, or other person engaged in an election of a school board under this Act wilfully makes or causes to be made an incorrect return of the votes given at such election, every such offender shall, upon summary conviction, be liable to a penalty not exceeding fifty pounds.

Penalty on personation of voter.

89. If any person wilfully personates any person entitled to vote in the election of a school board under this Act, or answers falsely any question put to him in voting in pursuance of an order made under the second schedule to this Act, or falsely assumes to act in the name or on the behalf of any person so entitled to vote, he shall be liable, on summary conviction, for every such offence to a penalty not exceeding twenty pounds.

Penalty for forging or falsifying any voting paper or obstructing the election.

90. If any person knowingly personate and falsely assume to vote in the name of any person entitled to vote in any election under this Act, or forge or in any way falsify any name or writing in any paper purporting to contain the vote or votes of any person voting in any such election, or by any contrivance attempt to obstruct or prevent the purposes of any such election, or wilfully contravene any regulation made by the Education Department under the second schedule to this Act with respect to the election, the contravention of which is expressed to involve a penalty, the person so offending shall upon summary conviction be liable to a penalty of not more than fifty pounds, and in default of payment thereof to be imprisoned for a term not exceeding six months.

Corrupt practices.

91. Any person who at the election of any member of a school board or any officer appointed for the purpose of such

election is guilty of corrupt practices shall, on conviction, for each offence be liable to a penalty not exceeding two pounds, and be disqualified for the term of six years after such election from exercising any franchise at any election under this Act, or at any municipal or parliamentary election.

The term corrupt practices in this section includes all bribery, treating, and undue influence which under any Act relating to a parliamentary election renders such election void.

Recovery of penalties.

92. Any penalty and any money which under this Act is recoverable summarily, and all proceedings under this Act which may be taken in a summary manner, may be recovered and taken before two justices in manner directed by an Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An "Act to facilitate the performance of the duties of justices "of the peace out of sessions within England and Wales with "respect to summary convictions and orders," and the Acts amending the same.

11 & 12 Vict. c. 43.

Provision as to Oxford.

93. In the case of the borough of Oxford, the provisions of this Act relating to boroughs shall be construed as if the local board were therein mentioned instead of the council; if a school board is formed in the borough of Oxford, one third of the school board shall be elected by the University of Oxford, or the colleges and halls therein, in such manner as may be directed by the Education Department by an order made under the power contained in the second schedule to this Act.

Effect of schedules.

94. The schedules to this Act shall be of the same force as if they were enacted in this Act, and the Acts mentioned in the fourth schedule to this Act may be cited in the manner in that schedule mentioned.

Returns by school board.

95. Every school board shall make such report and returns and give such information to the Education Department as the department may from time to time require.

(II.) PARLIAMENTARY GRANT.

Parliamentary grant to public elementary school only.

96. After the thirty-first day of March one thousand eight hundred and seventy-one no parliamentary grant shall be made to any elementary school which is not a public elementary school within the meaning of this Act.

No parliamentary grant shall be made in aid of building, enlarging, improving, or fitting up any elementary school, except in pursuance of a memorial duly signed, and containing the information required by the Education Department for enabling them to decide on the application, and sent to the Education Department on or before the thirty-first day of December one thousand eight hundred and seventy.

Conditions of annual parliamentary grant.

97. The conditions required to be fulfilled by an elementary school in order to obtain an annual parliamentary grant shall be those contained in the minutes of the Education Department in force for the time being, and shall amongst other matters

provide that after the thirty-first day of March one thousand eight hundred and seventy-one—

(1.) Such grant shall not be made in respect of any instruction in religious subjects:

(2.) Such grant shall not for any year exceed the income of the school for that year which was derived from voluntary contributions, and from school fees, and from any sources other than the parliamentary grant;

but such conditions shall not require that the school shall be in connexion with a religious denomination, or that religious instruction shall be given in the school, and shall not give any preference or advantage to any school on the ground that it is or is not provided by a school board:

Provided that where the school board satisfy the Education Department that in any year ending the twenty-ninth of September the sum required for the purpose of the annual expenses of the school board of any school district, and actually paid to the treasurer of such board by the rating authority, amounted to a sum which would have been raised by a rate of threepence in the pound on the rateable value of such district, and any such rate would have produced less than twenty pounds, or less than seven shillings and sixpence per child of the number of children in average attendance at the public elementary schools provided by such school board, such school board shall be entitled, in addition to the annual parliamentary grant in aid of the public elementary schools provided by them, to such further sum out of moneys provided by Parliament as, when added to the sum actually so paid by the rating authority, would, as the case may be, make up the sum of twenty pounds, or the sum of seven shillings and sixpence for each such child, but no attendance shall be reckoned for the purpose of calculating such average attendance unless it is an attendance as defined in the said minutes;

Provided that no such minute of the Education Department not in force at the time of the passing of this Act shall be deemed to be in force until it has lain for not less than one month on the table of both Houses of Parliament.

Refusal of grant to unnecessary schools.

98. If the managers of any school which is situate in the district of a school board acting under this Act, and is not previously in receipt of an annual parliamentary grant, whether such managers are a school board or not, apply to the Education Department for a parliamentary grant, the Education Department may, if they think that such school is unnecessary, refuse such application.

The Education Department shall cause to be laid before both Houses of Parliament in every year a special report stating the cases in which they have refused a grant under this section during the preceding year, and their reasons for each such refusal.

Power of schools to take

99. The managers of every elementary school shall have power to fulfil the conditions required in pursuance of this

parliamentary grants.

Act to be fulfilled in order to obtain a parliamentary grant, notwithstanding any provision contained in any instrument regulating the trusts or management of their school, and to apply such grant accordingly.

Report.

Annual report of Education Department.

100. The Education Department shall in every year cause to be laid before both Houses of Parliament a report of their proceedings under this Act during the preceding year.

FIRST SCHEDULE.

School District.	School Board.	Local Rate.	Rating Authority.
The metropolis	The school board appointed under this Act.	In the City of London the consolidated rate. In the parishes mentioned in schedule A. and the districts mentioned in schedule B. to the Metropolis Management Act, 1855, the general rate, and fund raised by the general rate. In places mentioned in schedule C. to the said Act, the rate levied for the purposes of the Metropolitan Poor Act, 1867, and any Act amending the same.	The commissioners of sewers. In the parishes the vestry, and in the districts the district board. The masters of the bench, treasurer, governors, or other persons who have the chief control or authority in such place.
Boroughs, except Oxford.	The school board appointed under this Act.	The borough fund or borough rate.	The council.
District of the local board of Oxford.	The school board appointed under this Act.	Rate leviable by the local board.	The local board.
Parishes not included in any of the above-mentioned districts.	The school board appointed under this Act.	The poor rate - -	The overseers.

SECOND SCHEDULE.

FIRST PART.

Rules respecting Election and Retirement of Members of a School Board.

1. The election of a school board shall be held at such time, and in such manner, and in accordance with such regulations as the Education Department may from time to time by order prescribe, and the Education Department may by order appoint or direct the appointment of any officers requisite for the purpose of such election, and do all other necessary things preliminary or incidental to such election: Provided that any poll shall be taken in the metropolis

in like manner as a poll is taken under "The Metropolis Management Act, 1855," and shall be taken in any other district in like manner as a poll of burgesses or ratepayers (as the case may be) is usually taken in such district.

2. The expenses of the election and taking the poll in any district other than the metropolis shall be paid by the school board out of the school fund.

3. An order made by the Education Department under the power contained in this part of this schedule shall, as regards any election held before the first day of September one thousand eight hundred and seventy-one, be deemed to be within the powers of this schedule, and to have been duly made and have effect as if it were enacted in this schedule, but shall not be of any force as regards any election after the said date unless it has been confirmed by Parliament.

4. Any such order so far as relates to the metropolis shall supersede any provisions contained in the Acts relating to the election of common councilmen, and in the Metropolis Management Act, 1855, and the Acts amending the same.

5. If from any cause no members are elected at the time at which they ought to be elected in accordance with this Act, then—

(*a.*) In the case of the first election the Education Department may appoint another day for the election, or may proceed as in the case of a school board in default:

(*b.*) In the case of a triennial election the retiring members, or so many as are willing to serve, shall be deemed to be re-elected, or, if all the retiring members refuse to serve, the Education Department may appoint another day for the election, or may proceed as in the case of a school board in default.

6. If an insufficient number of members are elected, or if, in the case of no members being elected, some of the retiring members are and some are not willing to serve, the school board, so far as it is constituted, shall elect a person to fill each vacancy.

7. No election under this Act shall be questioned on the ground of the title of the returning officer, or any person presiding at the poll, or any officer connected with the election.

8. Notice of the election of a person to be a member of the school board shall be sent to that person by the returning officer: in the case of the first election such notice shall be accompanied by a summons to attend the first meeting of the school board at the prescribed time.

9. The day for the triennial retirement of members shall be the prescribed day.

10. The first members shall retire from office on the day for retirement which comes next after the expiration of three years from the day fixed for the first election.

11. Members chosen to fill the offices of retiring members shall come into office on the day for retirement, and shall hold office for three years only.

12. Any person who ceases to be a member of the school board shall, unless disqualified as herein-after mentioned, be re-eligible.

13. A member of the school board may resign on giving to the board one month's previous notice in writing of his intention so to do.

14. If a member of the school board absents himself during six successive months from all meetings of the board, except from temporary illness or other cause to be approved by the board, or is punished with imprisonment for any crime, or is adjudged bankrupt,

or enters into a composition or arrangement with his creditors, such person shall cease to be a member of the school board, and his office shall thereupon be vacant.

15. If any casual vacancy in office occurs by death, resignation, disqualification, or otherwise, an election shall be held in manner directed by an order made under the power contained in this part of this schedule.

16. If by any means the number of members of a school board is reduced to less than the number required for a quorum, the Education Department may proceed as if such board were a board in default, or may direct an election to be held to fill up the vacancies in manner directed by an order made under the power contained in this part of this schedule.

17. The member chosen to fill up a casual vacancy shall retain his office so long only as the vacating member would have retained the same if no vacancy had occurred.

18. If the number of the board is reduced in pursuance of the provisions of this Act, the chairman of the board shall at some meeting, as soon as may be after such reduction, determine by ballot on the members who shall retire, so as to reduce the number of the board to the number to which it is so reduced.

19. The term "prescribed" in this schedule means prescribed by some minute or order of the Education Department.

SECOND PART.

Rules respecting Resolutions for Application for School Board.

1. The meeting of a council for the purpose of passing such a resolution shall be summoned in the manner in which a meeting of the council is ordinarily summoned, and the resolution shall be passed by a majority of the members present and voting on the question.

2. The resolution passed by the persons who would elect the school board shall be passed in like manner as near as may be as that in which a member of the school board is elected, with such necessary modifications as may be contained in any order made under the powers of the first part of this schedule, and such powers shall extend to the passing of the resolution in like manner as if it were an election, but the expenses incurred with reference to such a resolution shall be paid by the overseers out of the poor rate.

3. If a resolution is rejected, the resolution shall not be again proposed until the lapse of twelve months from the date of such rejection.

THIRD PART.

Rules for Election of School Board in Metropolis.

1. If any person be returned for more than one division he shall, at or before the first meeting of the school board after such election, signify in writing to the board his decision as to the division which he may desire to represent on such return, and if he fails so to do the school board shall decide the division which he shall represent; and upon any such decision the office of member for the other division shall be deemed vacant. Such vacancy shall be filled up by an election to be held in manner directed by an order made under the power contained in the first part of this schedule.

2. The provisions in the first part of this schedule shall apply in the case of the school board in the metropolis.

3. The provisions in the first part of this schedule with respect to the proceedings in the case of no members being elected for a school district shall not only apply to the whole of the metropolis, but shall apply to the case of no members being elected for any particular division, with this qualification, that the Education Department shall not proceed as in the case of a school board in default, but may direct that persons may be elected by the school board to be members for such division.

4. In the places named in schedule (C.) to "The Metropolis Management Act, 1855," the expenses of the election shall be paid out of the local rate, and such rate, or any increase of the rate, may be levied for the purpose.

5. The day for the retirement of members from office shall be the first day of December.

6. Any casual election shall be held on the day fixed by the school board, and shall be an election for the division a member for which has created the vacancy.

7. If any vacancy is filled up by the school board the election shall be by the whole school board.

THIRD SCHEDULE.

Proceedings of School Board.

1. The board shall meet for the despatch of business, and shall from time to time make such regulations with respect to the summoning, notice, place, management, and adjournment of such meetings, and generally with respect to the transaction and management of business, including the quorum at meetings of the board, as they think fit, subject to the following conditions:—

(*a.*) The first meeting shall be held on the third Thursday after the election of the board, and if not held on that day shall be held on some day to be fixed by the Education Department:

(*b.*) Not less than one ordinary meeting shall be held in each month; one meeting shall be held as soon as possible after every triennial election of members:

(*c.*) An extraordinary meeting may be held at any time on the written requisition of three members of the board addressed to the clerk of the board:

(*d.*) The quorum to be fixed by the board shall consist of not less than three members, and in the case of the metropolis not less than nine members:

(*e.*) Every question shall be decided by a majority of votes of the members present and voting on that question:

(*f.*) The names of the members present, as well as of those voting upon each question, shall be recorded:

(*g.*) No business involving the appointment or dismissal of a teacher, any new expense, or any payment (except the ordinary periodical payments), or any business which under this Act requires the consent of the Education Department, shall be transacted unless notice in writing of such business has been sent to every member of the board seven days at least before the meeting.

2. The board shall at their first meeting, and afterwards from time to time at their first meeting after each triennial election, appoint

some person to be chairman, and one other person to be vice-chairman, for the three years for which the board hold office.

3. If any casual vacancy occurs in the office of chairman or vice-chairman the board shall, as soon as they conveniently can after the occurrence of such vacancy, choose one of their members to fill such vacancy, and every such chairman or vice-chairman so elected as last aforesaid shall continue in office so long only as the person in whose place he may be so elected would have been entitled to continue if such vacancy had not happened.

4. If at any meeting the chairman is not present at the time appointed for holding the same the vice-chairman shall be the chairman of the meeting, and if neither the chairman nor vice-chairman shall be present then the members present shall choose some one of their number to be chairman of such meeting.

5. In case of an equality of votes at any meeting the chairman for the time being of such meeting shall have a second or casting vote.

6. All orders of the board for payment of money, and all precepts issued by the board, shall be deemed to be duly executed if signed by two or more members of the board authorised to sign them by a resolution of the board, and countersigned by the clerk; but in any legal proceeding it shall be presumed, until the contrary is proved, that the members signing any such order or precept were authorised to sign them.

7. The appointment of any officer of the board may be made by a minute of the board, signed by the chairman of the board, and countersigned by the clerk (if any) of the board, and any appointment so made shall be as valid as if it were made under the seal of the board.

8. Precepts of the board may be in the form given at the end of this schedule.

Proceedings of Managers appointed by a School Board.

The managers may elect a chairman of their meetings. If no such chairman is elected, or if the chairman elected is not present at the time appointed for holding the same, the members present shall choose one of their number to be chairman of such meeting. The managers may meet and adjourn as they think proper. The quorum of the managers shall consist of such number of members as may be prescribed by the school board that appointed them, or, if no number be prescribed, of three members. Every question at a meeting shall be determined by a majority of votes of the members present and voting on that question, and in case of an equal division of votes the chairman shall have a second or casting vote.

The proceedings of the managers shall not be invalidated by any vacancy or vacancies in their number.

Form of Precept.

School district of to wit.

To the council [*or* overseers, *&c.*] of the borough [*or* parish] of . These are to require you, the council [*or* overseers] of the borough [*or* parish] of , from and out of the moneys in the hands of your treasurer [*or* your hands], to pay on or before the day of into the hands of *A.B.*, treasurer of the school board of the said district, the sum of being the amount required

for the expenses of the said school board up to the
of 18 ; and if there are no moneys in the hands of
your treasurer [*or* your hands] to raise the same by means of a rate.
(Signed) *C.D.*, } Members of the school board of the
E.F., } district of
G.H., clerk of the said school board.

FOURTH SCHEDULE.

SCHOOL SITES ACTS.

The following Acts may be cited together as the "School Sites Acts, 1841 to 1851."

Year and Chapter of Act.	Title of Act.	Short Title by which Acts may be cited.
4 & 5 Vict. c. 38.	An Act to afford further facilities for the conveyance and endowment of sites for schools.	The School Sites Act, 1841.
7 & 8 Vict. c. 37.	An Act to secure the terms on which grants are made by Her Majesty out of the Parliamentary grant for the education of the poor; and to explain the Act of the fifth year of Her present Majesty, for the conveyance of sites for schools.	The School Sites Act, 1844.
12 & 13 Vict. c. 49.	An Act to extend and explain the provisions of the Acts for the granting of sites for schools.	The School Sites Act, 1849.
14 & 15 Vict. c. 24.	An Act to amend the Acts for the granting of sites for schools.	The School Sites Act, 1851.

FIFTH SCHEDULE.

DIVISIONS OF METROPOLIS.

Name of Division.	Name of Division.
Marylebone.	Westminster.
Finsbury.	Southwark.
Lambeth.	City.
Tower Hamlets.	Chelsea.
Hackney.	Greenwich.

CHAP. 76.

An Act to facilitate the Arrest of Absconding Debtors. [9th August 1870.]

WHEREAS the laws now in force for the arrest of debtors absconding from England are insufficient for that purpose:

And whereas frauds may be perpetrated upon creditors by insolvent debtors departing for distant countries before the necessary proceedings can be taken to make them bankrupt:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provisions of Bankruptcy Act, 1869, extended.

1. That the provisions of the Bankruptcy Act, 1869, be extended in manner following:

The Court may, by warrant addressed to any constable or prescribed officer of the Court, cause a debtor to be arrested and safely kept as prescribed until such time as the Court may order, if, after a debtor's summons has been granted in the manner prescribed by the said Act, and before a petition of bankruptcy can be presented against him, it appear to the Court that there is probable reason for believing that he is about to go abroad, with a view of avoiding payment of the debt for which the summons has been granted, or of avoiding service of a petition of bankruptcy, or of avoiding appearing to such petition, or of avoiding examination in respect of his affairs, or otherwise avoiding, delaying, or embarrassing proceedings in bankruptcy: Provided always, that nothing herein contained shall be construed to alter or qualify the right of the debtor to apply to the Court in the prescribed manner to dismiss the said summons as in the said Act is provided, or to pay, secure, or compound for the said debt within the time by the said Act provided, without being deemed to have committed an act of bankruptcy; and provided also, that upon any such payment or composition being made, or such security offered as the Court shall think reasonable, the said debtor shall be discharged out of custody, unless the Court shall otherwise order.

When arrest not valid.

2. No arrest shall be valid or protected under this Act unless the debtor, before or at the time of his arrest, shall be served with the debtor's summons.

Security for debt given after arrest.

3. No payment or composition of a debt made or security for the same given after an arrest made under the provisions of this Act shall be exempted from the provisions of the said Act relating to fraudulent preferences.

Construction of terms.

4. The terms used in this Act shall have the same meaning as they have in the said recited Act, and this Act shall be read and construed therewith.

Costs and fees.

5. The costs and fees to be charged in respect of any proceedings authorised shall be prescribed in the like manner in which costs and fees to be charged in respect of proceedings under the Bankruptcy Act, 1869, are respectively directed by that Act to be prescribed.

Short title.

6. In citing this Act in other Acts of Parliament, or in any instrument, document, or proceeding, it shall be sufficient to use the expression "The Absconding Debtors Act, 1870."

CHAP. 77.

An Act to amend the Laws relating to the qualifications, summoning, attendance, and remuneration of Special and Common Juries. [9th August 1870.]

WHEREAS it is expedient to amend the laws regulating the qualification, summoning, attendance, and remuneration of special and common juries in England and Wales, and otherwise to amend the laws as to trials by jury in England and Wales:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Commencement of Act.

1. This Act shall not come into force till the second day of November one thousand eight hundred and seventy.

Application of Act.

2. This Act shall not apply to Scotland or Ireland.

Short titles of certain Acts.

3. The Acts herein-after mentioned may be cited for all purposes by the short titles following; that is to say,

An Act of the session of the sixth year of the reign of King George the Fourth, chapter fifty, and intituled "An Act "for consolidating and amending the Laws relative to "Jurors and Juries," by the short title of "The County Juries Act, 1825;"

this Act by the short title of "The Juries Act, 1870."

Construction of Act and repeal of inconsistent enactments.

4. This Act shall be construed as one with "The County Juries Act, 1825," and any Act amending the same; and such parts of the said Act and of any other Act or Acts as are inconsistent with this Act are hereby repealed.

Definition of terms.

5. In this Act—

The term "overseers" shall include churchwardens, and the term "quarter sessions" shall include general sessions:

The word "juror" shall mean male persons only.

Qualification of special jurors.

6. Every man whose name shall be in the jurors book for any county in England or Wales, or for the county of the city of London, and who shall be legally entitled to be called an esquire, or shall be a person of higher degree, or shall be a banker or merchant, or who shall occupy a private dwelling house rated or assessed to the poor rate or to the inhabited house duty on a value of not less than one hundred pounds in a town containing, according to the census next preceding the preparation of the jury list, twenty thousand inhabitants and upwards, or rated or assessed to the poor rate or to the inhabited house duty on a value of not less than fifty pounds elsewhere, or who shall occupy premises other than a farm rated or assessed as aforesaid on a value of not less than one hundred pounds, or a farm rated or assessed as aforesaid on a value of not less than three hundred pounds, shall be qualified and liable to serve on special juries in every such county in England and Wales, and in London respectively.

Qualification of jurors in Wales.

7. So much of the said first section of the County Juries Act, 1825, as relates to the qualification of persons as jurors in Wales is hereby repealed, and it is hereby enacted, that the qualification of persons as jurors in Wales shall be the same as the qualification of persons as jurors in England.

Aliens to be qualified after ten years domicile, but not otherwise.

8. Aliens having been domiciled in England or Wales for ten years or upwards, if in other respects duly qualified, shall be qualified and shall be liable to serve on juries or inquests in England and Wales as if they had been natural-born subjects of the Queen; but, save as aforesaid, no man not being a natural-born subject of the Queen shall be qualified to serve on juries or inquests in any court or on any occasion whatsoever.

Persons exempt from serving on juries.

9. The inhabitants of the city and liberty of Westminster shall, as heretofore, be exempt from serving on any jury at the sessions of the peace for the county of Middlesex.

The persons described in the schedule hereto shall be severally exempt as therein specified from being returned to serve and from serving upon any juries or inquests whatsoever, and their names shall not be inserted in the lists of the persons qualified and liable to serve on the same, but, save as aforesaid, no man otherwise qualified to serve on such juries or inquests shall be exempt from serving thereon, any enactment, prescription, charter, grant, or writ to the contrary notwithstanding.

Convicts (exception), outlaws, &c. disqualified.

10. Provided always, and it is hereby enacted, that no man who has been or shall be attainted of any treason or felony, or convicted of any crime that is infamous, unless he shall have obtained a free pardon, nor any man who is under outlawry, is or shall be qualified to serve on juries or inquests in any court or on any occasion whatsoever.

Overseers to specify special jurors in list.

11. In making out the lists of persons within their respective parishes and townships qualified to serve as jurors, the overseers shall specify which of such persons are, in the judgment of such overseers, qualified as special jurors, and shall also specify in every case the nature of the qualification and also the occupation and the amount of the rating or assessment of every such person.

Disqualification or exemption to be pleaded before revision of list.

12. No person whose name shall be in the jury book as a juror shall be entitled to be excused from attendance on the ground of any disqualification or exemption other than illness not claimed by him at or before the revision of the list by the justices of the peace, and a notice to that effect shall be printed at the bottom of every jury list.

Penalty on overseer for negligence.

13. If any overseer, without reasonable excuse to be allowed by the justice or justices having cognizance of the case, insert in the list of persons qualified to serve as jurors prepared by him the name of any person whose name ought not to have been inserted therein, or omit therefrom the name of any person whose name ought not to have been omitted, he shall, on summary conviction, be liable to a penalty for each offence not exceeding forty shillings.

Justices to certify jury lists after revision.

14. Upon completing the revision of the jury lists, the justices at petty sessions shall certify in writing that they have examined such lists and that the same are, to the best of their knowledge and belief, true and proper lists of the special and common jurors; and the decision of such justices as to the qualifications of persons marked as special jurors in the lists so revised by them shall, as respects those lists, be final.

Special jurors' names to be retained in jurors book.

15. And whereas by the thirty-first section of "The County Juries Act, 1825," it is enacted, that "the sheriff of every "county in England and Wales or his under sheriff, and the "sheriffs of London or their secondary, shall, within ten days "after the delivery of the jurors book for the current year to "either of them, take from such book the names of all men "who shall be described therein as esquires, persons of higher "degree, or as bankers or merchants:" Be it enacted, that nothing in the said section contained shall be deemed to authorise the said sheriffs or any of them, or any under sheriff, or any secondary, to remove from the jurors book the name of any person by reason of his being therein described as an esquire or person of higher degree, or as a banker or merchant, nor shall the said sheriffs or any sheriff or under sheriff or secondary remove from the jurors book the name of any person by reason of his being otherwise qualified to serve on special juries.

Special juries for London and Middlesex to be provided in the same manner as in other counties.

16. In London and Middlesex, on the occasion of any sittings of the superior courts, or any of them, for the trial of issues, a sufficient number of special jurymen, not less than thirty for each court, shall be summoned to try the special jury causes triable at such sittings.

The said jurymen shall be summoned in pursuance of a precept under the hand of any one of the judges of the said superior courts in the same manner in all respects in which special jurymen are summoned in pursuance of precepts issued by the judges of assize.

The persons summoned in pursuance of such precept shall be the jury for the trial of special jury causes at such sittings in the said courts respectively, subject to such right of challenge as the parties shall be entitled to.

A printed panel of the jurors so summoned shall be made and kept, and a copy thereof delivered and annexed to the nisi prius record at the like time, in the same manner, and upon the same terms as are by law prescribed with reference to the panel of common jurors in the case of London and Middlesex.

Upon the trial the special jury shall be ballotted for and called in the order in which they are drawn from the box in the same manner as common jurors.

Any special juryman summoned to serve in any one of the said superior courts shall be qualified and be liable, in case of necessity, to serve in any other of the said courts as

if he had been originally summoned as one of the jurymen for the trial of special jury causes in such last-mentioned court.

Abolition of present practice of nominating special juries in London and Middlesex.

17. The present practice of nominating and reducing special jurors in London and Middlesex shall cease to be followed as regards the trial of any cause at any of the said sittings of the said courts, subject to this proviso, that any of the said superior courts or any judge thereof may, if it seem expedient, order that a special jury be struck according to the present practice, and such order shall be a sufficient warrant for striking such jury and making a panel thereof for the trial of the particular cause.

Mode of obtaining special jury in London and Middlesex.

18. In London and Middlesex, subject to any rules which may be made by any of the superior courts in that behalf, any party to any action triable at any of the aforesaid sittings of the superior courts shall be entitled to have the cause tried by a special jury upon the same conditions as would entitle him to have it so tried in any county other than London and Middlesex.

In London and Middlesex every court or judge shall have the same power of ordering that a cause be tried by a special jury as the like court or judge would have if the cause were tried in any county other than London and Middlesex.

Summoning of jurors.

19. The following regulations shall be enacted with respect to the summoning of jurors:

1. That no person shall be summoned to serve on any jury or inquest (except a grand jury) more than once in any one year, unless all the jurors upon the list shall have been already summoned to serve during such year:

   Provided that nothing herein contained shall prejudice the operation of any certificate granted under the County Juries Act, 1825, secs. 41 and 42:

2. No person shall be exempted from serving as a common juror by reason of his being on any special jurors list, or being qualified to serve as a grand juror:

3. No person shall be summoned or liable to serve as a juror in more than one court on the same day.

Jurors entitled to six days notice.

20. No juror shall be liable to any penalty for non-attendance on any jury unless the summons requiring him to attend be duly served six days at least before the day on which he is required to attend, but no longer period than such six days shall in any case be required between the service and such last-mentioned day.

Sheriff to make regulations as to attendance.

21. It shall be lawful for any sheriff or other officer to whom any precept for summoning jurors shall be addressed, with the consent of the person or persons by whom such precept shall have been issued, to make regulations as to the attendance of jurors during the time for which they shall be summoned, and in particular as to the days on which, and the time during which, they are to attend.

Such regulations may be sent to any juror, together with the summons requiring him to attend on any jury, and when so sent shall be deemed to be part of such summons.

Payment of jurors.

22. Jurors shall be entitled to the following remuneration for their services; that is to say,

Every special juror, when summoned for the purpose of trying special jury cases, at the rate of one pound one shilling for every day of his attendance.

The remuneration of a juror, when trying common jury cases, shall be at the rate of ten shillings for every day of his attendance.

The above-mentioned remuneration shall be paid by the parties to the causes to be tried, and for that purpose each of the said parties shall deposit such sum of money as may be determined by any rule of the court in which the cause is depending; and such deposit shall be made in such manner, at such time, and with such officer as the said court may prescribe.

Jurors to be allowed fire and refreshment.

23. Jurors, after having been sworn, may, in the discretion of the judge, be allowed at any time before giving their verdict the use of a fire when out of court, and be allowed reasonable refreshment, such refreshment to be procured at their own expense.

Judges to make general orders.

24. The judges of Her Majesty's superior courts of common law are hereby empowered by general orders to make rules, not inconsistent with this Act, for the purpose of carrying out the several provisions of this Act.

Jury lists in the city of London to be made as before.

25. This Act shall not alter or affect the mode of procedure pursued in the making out of jury lists for the city of London, nor the provisions of the ninth and tenth Victoria, chapter ninety-five, section seventy-two.

SCHEDULE.

PERSONS EXEMPT FROM SERVING ON JURIES.

Peers.

Members of Parliament.

Judges.

Clergymen.

Roman Catholic priests.

Ministers of any congregation of Protestant dissenters and of Jews whose place of meeting is duly registered, provided they follow no secular occupation except that of a schoolmaster.

Serjeants, barristers-at-law, certificated conveyancers, and special pleaders, if actually practising.

Members of the Society of Doctors of Law and advocates of the civil law, if actually practising.

Attornies, solicitors, and proctors, if actually practising and having taken out their annual certificates, and their managing clerks, and notaries public in actual practice.

Officers of the courts of law and equity, and of the Admiralty and Ecclesiastical Courts, including therein the Courts of Probate and Divorce, and the clerks of the peace or their deputies, if actually exercising the duties of their respective offices.

Coroners.

Gaolers and keepers of houses of correction, and all subordinate officers of the same.

Keepers in public lunatic asylums.

Members and licentiates of the Royal College of Physicians in London, if actually practising as physicians.

Members of the Royal Colleges of Surgeons in London, Edinburgh, and Dublin, if actually practising as surgeons.

Apothecaries certificated by the Court of Examiners of the Apothecaries Company, and all registered medical practitioners and registered pharmaceutical chemists, if actually practising as apothecaries, medical practitioners, or pharmaceutical chemists respectively.

Officers of the navy, army, militia, and yeomanry, while on full pay.

The members of the Mersey Docks and Harbour Board.

The master, wardens, and brethren of the Corporation of Trinity House of Deptford Strond.

Pilots licensed by the Trinity House of Deptford Strond, Kingston-upon-Hull, or Newcastle-upon-Tyne, and all masters of vessels in the buoy and light service employed by either of those corporations, and all pilots licensed under any Act of Parliament or charter for the regulation of pilots.

The household servants of Her Majesty, her heirs and successors.

Officers of the Post Office, Commissioners of Customs, and officers, clerks, or other persons acting in the management or collection of the Customs, Commissioners of Inland Revenue, and officers or persons appointed by the Commissioners of Inland Revenue or employed by them or under their authority or direction in any way relating to the duties of Inland Revenue.

Sheriffs officers.

Officers of the rural and metropolitan police.

Magistrates of the metropolitan police courts, their clerks, ushers, doorkeepers, and messengers.

Members of the council of the municipal corporation of any borough, and every justice of the peace assigned to keep the peace therein, and the town clerk and treasurer for the time being of every such borough, so far as relates to any jury summoned to serve in the county where such borough is situate.

Burgesses of every borough in and for which a separate court of quarter sessions shall be holden so far as relates to any jury summoned for the trial of issues joined in any court of general or quarter sessions of the peace in the county wherein such borough is situate.

Justices of the peace so far as relates to any jury summoned to serve at any sessions of the peace for the jurisdiction of which he is a justice.

Officers of the Houses of Lords and Commons.

CHAP. 78.

An Act to facilitate the construction and to regulate the working of Tramways. [9th August 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited for all purposes as "The Tramways Act, 1870." Short title.

2. This Act shall not extend to Ireland. Limitation of Act.

3. For the purposes of this Act the terms herein-after mentioned shall have the meanings herein-after assigned to them; that is to say, Interpretation of terms.

The terms "local authority" and "local rate" shall mean respectively the bodies of persons and rate named in the table in Part One of the schedule (A.) to this Act annexed:

The term "road" shall mean any carriageway being a public highway, and the carriageway of any bridge forming part of or leading to the same:

The term "road authority" shall mean, in the districts specified in the table in Part Two of the schedule (A.) to this Act annexed, the bodies of persons named in the same table, and elsewhere any local authority, board, town council, body corporate, commissioners, trustees, vestry, or other body or persons in whom a road as defined by this Act is vested, or who have the power to maintain or repair such road:

The term "district" in relation to a local authority or road authority, shall mean the area within the jurisdiction of such local authority or road authority:

The term "prescribed" shall mean prescribed by any rules made in pursuance of this Act:

The term "the Lands Clauses Acts" means, so far as the Provisional Order in which that term is used relates to England, The Lands Clauses Consolidation Act, 1845; and so far as the same relates to Scotland, The Lands Clauses Consolidation (Scotland) Act, 1845; together with, in each case, The Lands Clauses Consolidation Acts Amendment Act, 1860:

The term "two justices" shall, in addition to its ordinary signification, mean one stipendiary or police magistrate acting in any police court for the district.

PART I.

Provisional Orders authorising the Construction of Tramways.

4. Provisional Orders authorising the construction of tramways in any district may be obtained by— By whom Provisional Orders authorising the construction of tramways may be obtained.

(1.) The local authority of such district; or by—

(2.) Any person, persons, corporation, or company, with the consent of the local authority of such district; or of the road authority of such district where such district is or forms part of a highway district formed under the provisions of "The Highway Acts:"

And any such local authority, person, persons, corporation, or company shall be deemed to be promoters of a tramway, and are in this Act referred to as "the promoters."

Application for a Provisional Order shall not be made by any local authority until such application shall be approved in the manner prescribed in Part III. of the schedule A. to this Act annexed.

Where in any district there is a road authority distinct from the local authority, the consent of such road authority shall also be necessary in any case where power is sought to break up any road subject to the jurisdiction of such road authority, before any Provisional Order can be obtained.

The Board of Trade may in certain cases dispense with the consent of local or road authority.

5. Where it is proposed to lay down a tramway in two or more districts, and any local or road authority having jurisdiction in any of such districts does not consent thereto, the Board of Trade may, nevertheless make a Provisional Order authorising the construction of such tramway if they are satisfied, after inquiry, that two thirds of the length of such tramway is proposed to be laid in a district or in districts the local and road authority or the local and road authorities of which district or districts do consent thereto; and in such case they shall make a special report stating the grounds upon which they have made such order.

Notices and deposit of documents by promoters as in schedule.

6. The promoters intending to make an application for a Provisional Order shall proceed as follows:—

(1.) In the months of October and November next before their application, or in one of those months, they shall publish notice of their intention to make such application by advertisement; and they shall, on or before the fifteenth day of the following month of December, serve notice of such intention, in accordance with the standing orders (if any) of both Houses of Parliament for the time being in force with respect to Bills for the construction of tramways:

(2.) On or before the thirtieth day of the same month of November they shall deposit the documents described in Part Two of the same schedule, according to the regulations therein contained:

(3.) On or before the twenty-third day of December in the same year they shall deposit the documents described in Part Three of the same schedule, according to the regulations therein contained:

All maps, plans, and documents required by this Act to be deposited for the purposes of any Provisional Order may be deposited with the persons and in the manner directed by the Act of the session of Parliament held in the seventh year of the reign of His late Majesty King William the Fourth and the first year of Her present Majesty, intituled "An Act to "compel clerks of the peace for counties and other persons "to take the custody of such documents as shall be directed to

" be deposited with them under the standing orders of either " House of Parliament;" and all the provisions of that Act shall apply accordingly.

Power for Board of Trade to determine on application and on objection.

7. The Board of Trade shall consider the application, and may, if they think fit, direct an inquiry in the district to which the same relates, or may otherwise inquire as to the propriety of proceeding upon such application, and they shall consider any objection thereto that may be lodged with them on or before such day as they from time to time appoint, and shall determine whether or not the promoters may proceed with the application.

Power for Board of Trade to make Provisional Order.

8. Where it appears to the Board of Trade expedient and proper that the application should be granted, with or without addition or modification, or subject or not to any restriction or condition, the Board of Trade may settle and make a Provisional Order accordingly.

Form and contents of Provisional Order.

Every such Provisional Order shall empower the promoters therein specified to make the tramway upon the gauge and in manner therein described, and shall contain such provisions as (subject to the requirements of this Act) the Board of Trade, according to the nature of the application and the facts and circumstances of each case, think fit to submit to Parliament for confirmation in manner provided by this Act; but so that any such Provisional Order shall not contain any provision for empowering the promoters or any other person to acquire lands otherwise than by agreement, or to acquire any lands, even by agreement, except to an extent therein limited, or to construct a tramway elsewhere than along or across a road, or upon land taken by agreement.

Regulations as to construction of tramways in towns.

9. Every tramway in a town which is hereafter authorised by Provisional Order shall be constructed and maintained as nearly as may be in the middle of the road; and no tramway shall be authorised by any Provisional Order to be so laid that for a distance of thirty feet or upwards a less space than nine feet and six inches shall intervene between the outside of the footpath on either side of the road and the nearest rail of the tramway if one third of the owners or one third of the occupiers of the houses, shops, or warehouses abutting upon the part of the road where such less space shall intervene as aforesaid shall in the prescribed manner and at the prescribed time express their dissent from any tramway being so laid.

Nature of traffic on tramway and tolls to be specified in Provisional Order.

10. Every such Provisional Order shall specify the nature of the traffic for which such tramway is to be used, and the tolls and charges which may be demanded and taken by the promoters in respect of the same, and shall contain such regulations relating to such traffic and such tolls and charges as the Board of Trade shall deem necessary and proper.

Costs of Order.

11. The costs of and connected with the preparation and making of each Provisional Order shall be paid by the promoters, and the Board of Trade may require the promoters to

give security for such costs before they proceed with the Provisional Order.

Promoters to deposit 4*l.* per cent. on estimate in prescribed bank.

12. After a Provisional Order is ready, and before the same is delivered by the Board of Trade, the promoters, unless they are a local authority, shall within the prescribed time and in the prescribed manner, and subject to the prescribed conditions as to interest, repayment, or forfeiture, pay, as a deposit, into the prescribed bank, the sum of money prescribed, which shall not be less than four pounds per centum on the amount of the estimate by the promoters of the expense of the construction of the tramway, or deposit in such bank any security of the prescribed nature the then value of which is not less than such sum of money.

Publication of Provisional Order as in schedule.

13. When a Provisional Order has been made as aforesaid and delivered to the promoters, the promoters shall forthwith publish the same by deposit and advertisement, according to the regulations contained in Part Four of the schedule (B.) to this Act.

Confirmation of Provisional Order by Act of Parliament.

14. On proof to the satisfaction of the Board of Trade of the completion of such publication as aforesaid, the Board of Trade shall, as soon as they conveniently can after the expiration of seven days from the completion of such publication, procure a Bill to be introduced into either House of Parliament in relation to any Provisional Order which shall have been published as aforesaid not later than the twenty-fifth of April in any year, for an Act to confirm the Provisional Order, which shall be set out at length in the schedule to the Bill; and until confirmation, with or without amendment, by Act of Parliament, a Provisional Order under this Act shall not have any operation.

If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein, the Bill, so far as it relates to the order petitioned against, may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

The Act of Parliament confirming a Provisional Order under this Act shall be deemed a Public General Act.

Incorporation of general Acts in Provisional Order.

15. The provisions of The Lands Clauses Acts shall be incorporated with every Provisional Order under this Act, save where the same are expressly varied or excepted by any such Provisional Order, and except as to the following provisions, namely,—

(1.) With respect to the purchase and taking of lands otherwise than by agreement:

(2.) With respect to the entry upon lands by the promoters of the undertaking.

For the purposes of such incorporation a Provisional Order under this Act shall be deemed the special Act.

Power of Board of Trade to revoke,

16. The Board of Trade on the application of any promoters empowered by a Provisional Order may from time to time

revoke, amend, extend, or vary such Provisional Order by a further Provisional Order. amend, extend, or vary Provisional Order.

Every application for such further Provisional Order shall be made in like manner and subject to the like conditions as the application for the former Provisional Order.

Every such further Provisional Order shall be made and confirmed in like manner in every respect as the former Provisional Order, and until such confirmation such further Provisional Order shall not have any operation.

17. Subject and according to the provisions of this Act, the Board of Trade may, on a joint application, or on two or more separate applications, settle and make a Provisional Order empowering two or more local authorities, respectively, jointly to construct the whole, or separately to construct parts, of a tramway, and jointly or separately to own the whole or parts thereof; and all the provisions of this Act which relate to the construction of tramways shall extend and apply to the construction of the whole and the separate parts of such tramway as last aforesaid; and the form of the Provisional Order may be adapted to the circumstances of the case. Power to authorise joint work.

18. If the promoters, empowered by any Provisional Order under this Act to make a tramway, do not, within two years from the date of the same, or within any shorter period prescribed therein, complete the tramway and open it for public traffic; or, Cesser of powers at expiration of prescribed time.

If within one year from the date of the Provisional Order, or within such shorter time as is prescribed in the same, the works are not substantially commenced; or,

If the works having been commenced are suspended without a reason sufficient in the opinion of the Board of Trade to warrant such suspension;

the powers given by the Provisional Order to the promoters for constructing such tramway, executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as is then completed, unless the time be prolonged by the special direction of the Board of Trade; and as to so much of the same as is then completed the Board of Trade may allow the said powers to continue and to be exercised if they shall think fit, but failing such permission the same shall cease to be exercised, and where such permission is withheld then so much of the said tramway as is then completed shall be deemed to be a tramway to which all the provisions of this Act relating to the discontinuance of tramways after proof of such discontinuance shall apply, and may be dealt with accordingly.

A notice purporting to be published by the Board of Trade in the London or Edinburgh Gazette, accordingly as the district to which it relates is situate in England or Scotland, to the effect that a tramway has not been completed and opened for public traffic, or that the works have not been substantially commenced, or that they have been suspended without

sufficient reason, shall be conclusive evidence for the purposes of this section of such non-completion, non-commencement, or suspension.

Local authority may lease or take tolls.

19. When a tramway has been completed under the authority of a Provisional Order by any local authority, or where any local authority has under the provisions of this Act acquired possession of any tramway, such authority may, with the consent of the Board of Trade, and subject to the provisions of this Act, by lease, to be approved of by the Board of Trade, demise to any person, persons, corporation, or company the right of user by such person, persons, corporation, or company of the tramway, and of demanding and taking in respect of the same the tolls and charges authorised; or such authority may leave such tramway open to be used by the public, and may in respect of such user demand and take the tolls and charges authorised; but nothing in this Act contained shall authorise any local authority to place or run carriages upon such tramway, and to demand and take tolls and charges in respect of the use of such carriages.

Notice of the intention to make such lease shall be published by the local authority by advertisement, and a copy of such lease shall be deposited according to the regulations contained in Part I. of the Schedule (C.) to this Act annexed; and unless such notice is given, and such copy deposited, such lease shall not be approved of by the Board of Trade.

Every such lease shall be made for a term or for terms not exceeding in the whole twenty-one years.

On the determination of any lease made under this Act, the local authority may from time to time, with the consent of the Board of Trade, by lease, demise such rights for such further term or terms, not exceeding in any case twenty-one years, as the said Board may approve.

Every such lease shall imply a condition of re-entry if at any time after the making of the same the lessees discontinue the working of the tramway leased, or of any part thereof, for the space of three calendar months (such discontinuance not being occasioned by circumstances beyond the control of such lessees, for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control).

The person, persons, corporation, or company to whom any such lease may be made are in this Act referred to as "lessees."

How expenses to be defrayed.

20. Where the local authority in any district are the promoters of any tramway, they shall pay all expenses incurred by them in applying for and obtaining a Provisional Order, and carrying into effect the purposes of such Provisional Order, out of the local rate, and any such expenses shall be deemed to be purposes for which such local rate may be made, and to which the same may be applied.

Where the local rate is limited by law to a certain amount, and is by reason of such limitation insufficient for the payment of such expenses, the Board of Trade may, by the Provisional

Order, extend the limit of such local rate to such amount as they shall think fit, and prescribe for the payment of such expenses.

Such local authority may, for the purposes of such Provisional Order, borrow and take up at interest, on the credit of such local rate, any sums of money necessary for defraying any such expenses; and for the purpose of securing the repayment of any sums so borrowed, together with such interest as aforesaid, such local authority may mortgage to the persons by or on behalf of whom such sums are advanced such local rate; but the exercise of the above-mentioned power shall be subject to the following regulations:

(1.) The money so borrowed shall not exceed such sum as may be sanctioned by the Board of Trade:

(2.) The money may be borrowed for such time, not exceeding thirty years, as such local authority, with the sanction of the Board of Trade, shall determine; and, subject as aforesaid to the repayment within thirty years, such local authority may either pay off the moneys so borrowed by equal annual instalments, or they may in every year set apart as a sinking fund, and accumulate in the way of compound interest by investing the same in the purchase of exchequer bills or other government securities, such sum as will be sufficient to pay off the moneys so borrowed, or a part thereof, at such times as the local authority may determine.

The provisions of "The Commissioners Clauses Act, 1847," with respect to the mortgages to be executed by the Commissioners, shall apply to any mortgage executed under the foregoing provisions of this section, and for the purposes of such application the said provisions shall be incorporated with this Act.

For the purposes of such incorporation the terms "the special Act," and "the Commissioners," shall be construed to mean respectively a Provisional Order under this Act, and the local authority.

Such local authority shall keep separate accounts of all moneys paid by them in applying for, obtaining, and carrying into effect any such Provisional Order, and in the repayment of moneys borrowed, and of all moneys received by them, by way of rent or tolls in respect of the tramway authorised thereby.

When, after payment of all charges incurred under the authority of this Act, and necessary for giving effect to such Provisional Order, there shall be remaining in the hands of such local authority any of the moneys received by them by way of rent or tolls in respect of the tramway authorised by such Provisional Order, such moneys shall be applied by them to the purposes for which the local rate may be by them applied.

Metropolitan Board may, for carrying Provisional Order into effect, create stock under Loans Act of 1869.

21. The Metropolitan Board of Works may, in order to raise money for the purpose of carrying into effect the purposes of any Provisional Order obtained by them, create additional stock, not exceeding in the whole three hundred thousand pounds, under "The Metropolitan Board of Works (Loans) Act, 1869," in like manner, and with the like sanction, in and with which they may create stock in order to raise money for the purposes of the Acts mentioned in the first schedule to that Act; and all the provisions of that Act shall apply as if that money were raised and that stock were created for the purposes of the last-mentioned Acts, with the exception that the money required for the purposes of any such Provisional Order may be borrowed by them in addition to the sum limited by section thirty-eight of "The Metropolitan Board of Works (Loans) Act, 1869."

PART II.

Construction of Tramways.

As to incorporation of Parts II. and III. of this Act with Provisional Order and special Acts.

22. Part II. and Part III. of this Act shall apply to every tramway which is hereafter authorised by any Provisional Order or Act of Parliament, and shall be incorporated with such Provisional Order or Act, and all the said provisions of this Act, save so far as they shall be expressly varied or excepted by any such Provisional Order or Act, shall apply to the undertaking authorised thereby, so far as the same shall be applicable to auch undertaking, and shall, with the provisions of every other Act or part of any Act which shall be incorporated therewith, form part of the said Provisional Order or Act, and be construed therewith as forming one Provisional Order or Act, as the case may be.

"Special Act:"

23. In Part II. and Part III. of this Act, the term "special Act" shall be construed to mean any Act of Parliament which shall be hereafter passed or any Provisional Order authorising the construction of a tramway, and with which the said parts of this Act shall be incorporated as aforesaid.

"Promoters."

24. The term "the promoters" shall mean any person, persons, corporation, company, or local authority authorised by special Act to construct a tramway.

Mode of formation of tramways.

25. Every tramway which is hereafter authorised by special Act shall be constructed on such gauge as may be prescribed by such special Act, and if no gauge is thereby prescribed, on such gauge as will admit of the use upon such tramways of carriages constructed for use upon railways of a gauge of four feet eight inches and half an inch, and shall be laid and maintained in such manner that the uppermost surface of the rail shall be on a level with the surface of the road, and shall not be opened for public traffic until the same has been inspected and certified to be fit for such traffic, in the prescribed manner.

Power to break up streets, &c.

26. The promoters from time to time, for the purpose of making, forming, laying down, maintaining, and renewing any tramway duly authorised, or any part or parts thereof respectively, may open and break up any road, subject to the following regulations:

1. They shall give to the road authority notice of their intention, specifying the time at which they will begin to do so, and the portion of road proposed to be opened or broken up, such notice to be given seven days at least before the commencement of the work:
2. They shall not open, or break up, or alter the level of any road, except under the superintendence and to the reasonable satisfaction of the road authority, unless that authority refuses or neglects to give such superintendence at the time specified in the notice, or discontinues the same during the work:
3. They shall pay all reasonable expenses to which the road authority is put on account of such superintendence:
4. They shall not, without the consent of the road authority, open or break up at any one time a greater length than one hundred yards of any road which does not exceed a quarter of a mile in length, and in the case of any road exceeding a quarter of a mile in length the promoters shall leave an interval of at least a quarter of a mile between any two places at which they may open or break up the road, and they shall not open or break up at any such place a greater length than one hundred yards.

Where the carriageway over any bridge forms part of or is a road within the jurisdiction of a road authority, but such bridge is vested in some person or persons, corporation, or company, distinct from such road authority, any work which the promoters may be empowered to construct, and which affects or in anywise interferes with the structural works of such bridge, shall be constructed under the superintendence (at the cost of the promoters) and to the reasonable satisfaction of such person, persons, corporation, or company, unless after notice to be given by the promoters seven days at least before the commencement of such work such superintendence is refused or withheld.

Where the carriageway in or upon which any tramway is proposed to be formed or laid down is crossed by any railway or tramway on the level, any work which the promoters may be empowered to construct, and which affects or in anywise interferes with such railway or tramway, or the traffic thereon, shall be constructed and maintained under the superintendence (at the cost of the promoters) and to the reasonable satisfaction of the person, corporation, or company owning such railway or tramway, unless after notice to be given by the promoters seven days at least before the commencement of such work such superintendence is refused or withheld.

Completion of works and reinstatement of road.

27. When the promoters have opened or broken up any portion of any road, they shall be under the following further obligations, namely,

1. They shall, with all convenient speed, and in all cases within four weeks at the most (unless the road authority otherwise consents in writing) complete the work on account of which they opened or broke up the same, and (subject to the formation, maintenance, or renewal of the tramway) fill in the ground and make good the surface, and, to the satisfaction of the road authority, restore the portion of the road to as good condition as that in which it was before it was opened or broken up, and clear away all surplus paving or metalling material or rubbish occasioned thereby:
2. They shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night:
3. They shall bear or pay all reasonable expenses of the repair of the road for six months after the same is restored, as far as those expenses are increased by the opening or breaking up.

If the promoters aforesaid fail to comply in any respect with the provisions of the present section, they shall for every such offence (without prejudice to the enforcement of specific performance of the requirements of this Act or to any other remedy against them) be liable to a penalty not exceeding twenty pounds, and to a further penalty not exceeding five pounds for each day during which any such failure continues after the first day on which such penalty is incurred.

Repair of part of road where tramway is laid.

28. The promoters shall, at their own expense, at all times maintain and keep in good condition and repair, with such materials and in such manner as the road authority shall direct, and to their satisfaction, so much of any road whereon any tramway belonging to them is laid as lies between the rails of the tramway and (where two tramways are laid by the same promoters in any road at a distance of not more than four feet from each other) the portion of the road between the tramways, and in every case so much of the road as extends eighteen inches beyond the rails of and on each side of any such tramway. If the promoters abandon their undertaking, or any part of the same, and take up any tramway or any part of any tramway belonging to them, they shall with all convenient speed, and in all cases within six weeks at the most (unless the road authority otherwise consents in writing), fill in the ground and make good the surface, and, to the satisfaction of the road authority, restore the portion of the road upon which such tramway was laid to as good a condition as that in which it was before such tramway was laid thereon, and clear away all surplus paving or metalling material or rubbish occasioned by such work; and they shall in the meantime cause the place where the road is

opened or broken up to be fenced and watched, and to be properly lighted at night: Provided always, that if the promoters fail to comply with the provisions of this section, the road authority, if they think fit, may themselves at any time, after seven days notice to the promoters, open and break up the road, and do the works necessary for the repair and maintenance or restoration of the road, to the extent in this section above mentioned, and the expense incurred by the road authority in so doing shall be repaid to them by the promoters.

Road authority and promoters may contract for paving roads on which tramways are laid.

29. The road authority on the one hand and the promoters on the other hand may from time to time enter into and carry into effect, and from time to time alter, renew, or vary, contracts, agreements, or arrangements with respect to the paving and keeping in repair of the whole or any portion of the roadway of any road on which the promoters shall lay any tramway, and the proportion to be paid by either of them of the expense of such paving and keeping in repair.

Provision as to gas and water companies.

30. For the purpose of making, forming, laying down, maintaining, repairing, or renewing any of their tramways, the promoters may from time to time, where and as far as it is necessary, or may appear expedient for the purpose of preventing frequent interruption of the traffic by repairs or works in connexion with the same, alter the position of any mains or pipes for the supply of gas or water, or any tube, wires, or apparatus for telegraphic or other purposes, subject to the provisions of this Act, and also subject to the following restrictions; (that is to say,)

1. Before laying down a tramway in a road in which any mains or pipes, tubes, wires, or apparatus may be laid, the promoters shall, whether they contemplate altering the position of any such mains or pipes, wires, or apparatus, or not, give seven days notice to the company, persons, or person to whom such mains or pipes, tubes, wires, or apparatus may belong or by whom they are controlled, of their intention to lay down or alter the tramway, and shall at the same time deliver a plan and section of the proposed work. If it should appear to any such company or person that the construction of the tramway as proposed would endanger any such main or pipe, tube, wire, or apparatus, or interfere with or impede the supply of water or gas or the telegraphic or other communication, such company or person (as the case may be) may give notice to the promoters to lower or otherwise alter the position of the said mains or pipes, tubes, wires, or apparatus in such manner as may be considered necessary, and any difference as to the necessity of any such lowering or alteration shall be settled in manner provided by this Act for the settlement of differences between the promoters and other companies or persons, and all alterations to be made

under this section shall be made with as little detriment and inconvenience to the company or person to whom such mains or pipes, tubes, wires, or apparatus may belong, or by whom the same are controlled, or to the inhabitants of the district, as the circumstances will admit, and under the superintendence of such company or person or of their surveyor or engineer if they or he think fit to attend, after receiving not less than forty-eight hours notice for that purpose, which notice the promoters are hereby required to give:

2. The promoters shall not remove or displace any of the mains or pipes, valves, syphons, plugs, tubes, wires, or apparatus, or other works belonging to or controlled by any such company or person, or do anything to impede the passage of water or gas or the telegraphic or other communication into or through such mains or pipes, without the consent of such company or person, or in any other manner than such company or person shall approve, until good and sufficient mains, pipes, valves, syphons, plugs, and other works necessary or proper for continuing the supply of water or gas or telegraphic or other communication, as sufficiently as the same was supplied by the mains or pipes, tubes, wires, or apparatus proposed to be removed or displaced, shall at the expense of the promoters have been first made and laid down in lieu thereof and ready for use, and to the satisfaction of the surveyor or engineer of such water or gas or other company, or of such person, or, in case of disagreement between such surveyor or engineer and the promoters, as an engineer appointed by the Board of Trade shall direct:

3. The promoters shall not lay down any such pipes contrary to the regulations of any Act of Parliament relating to such water or gas or other company, or relating to telegraphs:

4. The promoters shall make good all damage done by them to property belonging to or controlled by any such company or person, and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with such property, or with the private service pipes of any person supplied by any such company or person with water or gas:

5. If by any such operations as aforesaid the promoters interrupt the supply of water or gas in or through any main or main pipe they shall be liable to a penalty not exceeding twenty pounds for every day upon which such supply shall be so interrupted.

For protection of sewers, &c.

31. Where in any district any tramway or any work connected therewith interferes with any sewer, drain, watercourse, subway, defence, or work in such district, or in any way affects

the sewerage or drainage of such district, the promoters shall not commence any tramway or work until they shall have given to the proper authority fourteen days previous notice in writing of their intention to commence the same, by leaving such notice at the principal office of such authority with all necessary particulars relating thereto, nor until such authority shall have signified their approval of the same, unless such authority do not signify their approval, disapproval, or other directions within fourteen days after service of the said notice and particulars as aforesaid, and the promoters shall comply with and conform to all reasonable directions and regulations of the said authority in the execution of the said works, and shall provide by new, altered, or substituted works, in such manner as such authority shall reasonably require, for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to, by or by reason of the tramways, and shall save harmless the said authority against all and every the expense to be occasioned thereby; and all such works shall be done under the direction, superintendence, and control of the engineer or other officer or officers of the said authority, at the reasonable costs, charges, and expenses in all respects of the promoters; and when any new, altered, or substituted work as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the promoters, under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said authority and be maintained by them as any sewers or works.

Rights of authorities and companies, &c. to open roads.

32. Nothing in this Act shall take away or abridge any power to open or break up any road along or across which any tramway is laid, or any other power vested in any local authority or road authority for any of the purposes for which such authority is respectively constituted, or in any company, body, or person for the purpose of laying down, repairing, altering, or removing any pipe for the supply of gas or water, or any tubes, wires, or apparatus for telegraphic or other purposes, but in the exercise of such power every such local authority, road authority, company, body, or person shall be subject to the following restrictions; (that is to say,)

1. They shall cause as little detriment or inconvenience to the promoters and lessees as circumstances admit:
2. Before they commence any work whereby the traffic on the tramway will be interrupted they shall (except in cases of urgency, in which cases no notice shall be necessary) give to the promoters and lessees, if there be any, notice of their intention to commence such work, specifying the time at which they will begin to do so, such notice to be given eighteen hours at least before the commencement of the work:

3. They shall not be liable to pay to the promoters or lessees any compensation for injury done to the tramway by the execution of such work, or for loss of traffic occasioned thereby, or for the reasonable exercise of the powers so vested in them as aforesaid:

4. Whenever for the purpose of enabling them to execute such work the local authority or the road authority shall so require, the promoters or lessees shall either stop traffic on the tramway to which the notice shall refer, where it would otherwise interfere with such work, or shore up and secure the same at their own risk and cost during the execution of the work there: Provided that such work shall always be completed by the local authority or the road authority, as the case may be, with all reasonable expedition:

5. Any company, body, or person shall not execute such work so far as it immediately affects the tramway except under the superintendence of the promoters, unless they refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work or discontinue the same during the progress of the work; and they shall execute such work at their own expense, and to the reasonable satisfaction of the promoters: Provided that any additional expense imposed upon them by reason of the existence of the tramway in any road or place where any such mains, pipes, tubes, wires, or apparatus shall have been laid before the construction of such tramway shall be borne by the promoters.

Difference between promoters and road authority, &c.

33. If any difference arises between the promoters or lessees on the one hand and any local authority or road authority, or any gas or water company, or any company, body, or person to whom any sewer, drain, tube, wires, or apparatus for telegraphic or other purposes may belong, or any other company, on the other hand, with respect to any interference or control, exercised, or claimed to be exercised, by them or him, or on their or his behalf, or by the promoters or lessees by virtue of this Act, in relation to any tramway or work, or in relation to any work or proceeding of the local authority, road authority, body, company, or person, or with respect to the propriety of or the mode of execution of any work relating to any tramway, or with respect to the amount of any compensation to be made by or to the promoters or lessees, or on the question whether any work is such as ought reasonably to satisfy the local authority, road authority, body, company, or person concerned, or with respect to any other subject or thing regulated by or comprised in this Act, the matter in difference shall (unless otherwise specially provided by this Act) be settled by an engineer or other fit person nominated as referee by the Board of Trade on the application of either party, and

the expenses of the reference shall be borne and paid as the referee directs.

PART III.

GENERAL PROVISIONS.

Carriages.

Power for promoters to use tramways with flange-wheeled carriages, &c.

34. The promoters of tramways authorised by special Act and their lessees may use on their tramways carriages with flange wheels or wheels suitable only to run on the rail prescribed by such Act; and, subject to the provisions of such special Act and of this Act, the promoters and their lessees shall have the exclusive use of their tramways for carriages with flange wheels or other wheels suitable only to run on the prescribed rail.

All carriages used on any tramway shall be moved by the power prescribed by the special Act, and where no such power is prescribed, by animal power only.

No carriage used on any tramway which is hereafter authorised by special Act shall extend beyond the outer edge of the wheels of such carriage more than eleven inches on each side.

Licenses to use Tramways.

Licenses to use the tramway may in certain events be granted to third parties by the Board of Trade.

35. If at any time after any tramway or part of any tramway shall have been for three years opened for public traffic in any district it shall be represented in writing to the Board of Trade by the local authority of such district or by twenty inhabitant ratepayers of such district, or by the road authority of any road in which such tramway or part of a tramway is laid, that the public are deprived of the full benefit of the tramway, the Board of Trade may (if they consider that, primâ facie, the case is one for inquiry) direct an inquiry by a referee under this Act into the truth of the representation, and if the referee report that the truth of the representation has been proved to his satisfaction, the Board may from time to time grant licenses to any company or person to use such tramway in addition to the promoters or their lessees, for such traffic as is authorised by the special Act, with carriages to be approved by the Board, subject to the following provisions, conditions, and restrictions; that is to say,

1. The license shall be for any period not less than one year nor more than three years from the date of the license, but shall be renewable by the Board, if they upon inquiry think fit:
2. The license shall be to use the whole of such tramway for the time being opened for public traffic, or such part or parts of such tramway as the Board, having reference to the cause for granting the license, shall think right:
3. The license shall direct the number of carriages which the licensee or licensees shall run upon such tramway, and the mode in which and times at which such carriages shall be run:

4. The licenses shall specify the tolls to be paid to the promoters or to their lessees by the licensee or licensees for the use of the tramways:

5. The licensee or licensees, and their officers and servants, shall permit one person duly authorised for that purpose by the promoters, or by their lessees, to ride free of charge in or upon each carriage of the licensee or licensees run upon the tramways for the whole or any part of the journey:

6. The Board of Trade may at any time after the granting of any license revoke, alter, or modify the same for good cause shown to them.

In default of payment of tolls licensee's carriages may be detained and sold.

36. If on demand any licensee fail to pay the tolls due in respect of any passengers carried in any carriage it shall be lawful for the promoters or their lessees, to whom the same are payable, to detain and sell such carriage, or if the same shall have been removed from the tramway or premises of such promoters or lessees, to detain and sell any other carriages on such tramway or premises belonging to such licensee, and out of the moneys arising from such sale to retain the tolls payable as aforesaid, and all charges and expenses of such detention and sale, rendering the overplus (if any) of such moneys and such of the carriages as shall remain unsold to the person entitled thereto.

Licensees to give account of passengers carried by them.

37. Every licensee shall on demand give to an officer or servant authorised in that behalf by the promoters or their lessees entitled to be paid tolls by such licensee, an exact account in writing signed by such licensee of the number of passengers conveyed by any and every carriage used by him on the tramways.

Licensees not giving account of passengers carried liable to penalty.

38. If any such licensee fails to give such account to such officer or servant demanding the same as aforesaid, or if any such licensee with intent to avoid the payment of any tolls gives a false account, he shall for every such offence forfeit to the promoters, or to their lessees entitled to be paid tolls by such licensee, a sum not exceeding five pounds, and such penalty shall be in addition to any tolls payable in respect of the passengers carried by any such carriage.

Disputes as to amount of toll to be settled by justice.

39. If any dispute arise concerning the amount of the tolls due to the promoters or to their lessees from any licensee, or concerning the charges occasioned by any detention or sale of any carriage under the provisions herein contained, the same shall be settled in England by two justices, and in Scotland by the sheriff or two justices, and it shall be lawful for the promoters or their lessees in the meanwhile to detain the carriage, or (if the case so require) the proceeds of the sale thereof.

Owners of carriages liable for damage done by their servants.

40. Every licensee shall be answerable for any trespass or damage done by his carriages or horses, or by any of the servants or persons employed by him, to or upon the tramway, or to or upon the property of any other person, and, without

prejudice to the right of action against the licensee or any other person, every such servant or other person may lawfully be convicted of such trespass or damage in England before two justices, and in Scotland before the sheriff or two justices, either by the confession of the party offending or by the oath of some credible witness; and upon such conviction every such licensee shall pay to the promoters, lessees, or persons injured, as the case may be, the damage, to be ascertained by such justices, so that the same do not exceed fifty pounds.

Discontinuance of Tramways.

Tramways to be removed in certain cases.

41. If at any time after the opening of any tramway in any district for traffic the promoters discontinue the working of such tramway, or of any part thereof, for the space of three calendar months (such discontinuance not being occasioned by circumstances beyond the control of such promoters, for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control), and such discontinuance is proved to the satisfaction of the Board of Trade, the said Board, if they think fit, may by order declare that the powers of the promoters in respect of such tramway or the part thereof so discontinued shall, from the date of such order, be at an end, and thereupon the said powers of the promoters shall cease and determine, unless the same are purchased by the local authority in manner by this Act provided. Where any such order has been made, the road authority of such district may at any time after the expiration of two months from the date of such order, under the authority of a certificate to that effect by the Board of Trade, remove the tramway or part of the tramway so discontinued, and the promoters shall pay to the road authority the cost of such removal and of the making good of the road by the road authority, such cost to be certified by the clerk for the time being, or by some other authorised officer of the road authority, whose certificate shall be final and conclusive; and if the promoters fail to pay the amount so certified within one calendar month after delivery to them of such certificate or a copy thereof, the road authority may, without any previous notice to the promoters (but without prejudice to any other remedy which they may have for the recovery of the amount), sell and dispose of the materials of the tramway or part of tramway removed, either by public auction or private sale, and for such sum or sums, and to such person or persons, as the road authority may think fit, and may out of the proceeds of such sale pay and reimburse themselves the amount of the cost certified as aforesaid and of the cost of sale, and the balance (if any) of the proceeds of the sale shall be paid over by the road authority to the promoters.

Insolvency of Promoters.

Proceedings in case of insol-

42. If at any time after the opening of any tramway in any district for traffic, it appears to the local authority or the

vency of promoters.

road authority of such district that the promoters of such tramway are insolvent, so that they are unable to maintain such tramway, or work the same with advantage to the public, and such road authority makes a representation to that effect to the Board of Trade, the Board of Trade may direct an inquiry by a referee into the truth of the representation, and if the referee shall find that the promoters are so insolvent as aforesaid, the Board of Trade may, by order, declare that the powers of the promoters shall, at the expiration of six calendar months from the making of the order, be at an end, and the powers of the promoters shall cease and determine at the expiration of the said period, unless the same are purchased by the local authority in manner by this Act provided; and thereupon such road authority may remove the tramway in like manner and subject to the same provisions as to the payment of the costs of such removal, and to the same remedy for recovery of such costs, in every respect as in cases of removal under the next preceding section.

Purchase of Tramways.

Future purchase of undertaking by local authority.

43. Where the promoters of a tramway in any district are not the local authority, the local authority, if, by resolution passed at a special meeting of the members constituting such local authority, they so decide, may within six months after the expiration of a period of twenty-one years from the time when such promoters were empowered to construct such tramway, and within six months after the expiration of every subsequent period of seven years, or within three months after any order made by the Board of Trade under either of the two next preceding sections, with the approval of the Board of Trade, by notice in writing require such promoters to sell, and thereupon such promoters shall sell to them their undertaking, or so much of the same as is within such district, upon terms of paying the then value (exclusive of any allowance for past or future profits of the undertaking, or any compensation for compulsory sale, or other consideration whatsoever) of the tramway, and all lands, buildings, works, materials, and plant of the promoters suitable to and used by them for the purposes of their undertaking within such district, such value to be in case of difference determined by an engineer or other fit person nominated as referee by the Board of Trade on the application of either party, and the expenses of the reference to be borne and paid as the referee directs. And when any such sale has been made, all the rights, powers, and authorities of such promoters in respect to the undertaking sold, or where any order has been made by the Board of Trade under either of the next preceding sections, all the rights, powers, and authorities of such promoters previous to the making of such order in respect of the undertaking sold, shall be transferred to, vested in, and may be exercised by the authority to whom the same has been

sold, in like manner as if such tramway was constructed by such authority under the powers conferred upon them by a Provisional Order under this Act, and in reference to the same they shall be deemed to be the promoters.

No such resolution shall be valid unless a month's previous notice of the meeting, and of the purpose thereof, has been given in manner in which notices of meetings of such local authority are usually given, nor unless two thirds of the members constituting such local authority are present and vote at the meeting, and a majority of those present and voting concur in the resolution; provided that if in Scotland the local authority be the road trustees, it shall not be necessary that two thirds of such trustees shall be present at the meeting, but the resolution shall not be valid unless two thirds of the members present vote in favour of such resolution, and unless the said resolution is confirmed in like manner at another meeting called as aforesaid and held not less than three weeks and not more than six weeks thereafter; and it shall be lawful for the chairman of any such meeting, with the consent of a majority of the members present, to adjourn the same from time to time.

The local authority in any district may pay the purchase money and all expenses incurred by them in the purchase of any undertaking under the authority of this section out of the like rate, and shall have the like powers to borrow on the security of the same as if such expenses were incurred in applying for, obtaining, and carrying into effect any Provisional Order obtained by them under this Act.

Where the local rate is limited by law to a certain amount, and is by reason of such limitation insufficient for the payment of such purchase money and expenses, the Board of Trade may by Provisional Order extend the limit of such local rate to such amount as they shall think fit and prescribe for the payment of such purchase money and expenses.

Every such Provisional Order shall be confirmed in like manner as a Provisional Order under the authority of Part I. of this Act, and until such confirmation such Provisional Order shall not have any operation.

Subject and according to the preceding provisions of this section two or more local authorities may jointly purchase any undertaking or so much of the same as is within their districts.

Power of sale.

44. Where any tramway in any district has been opened for traffic for a period of six months the promoters may, with the consent of the Board of Trade, sell their undertaking to any person, persons, corporation, or company, or to the local authority of such district; and when any such sale has been made all the rights, powers, authorities, obligations, and liabilities of such promoters in respect to the undertaking sold shall be transferred to, vested in, and may be exercised by, and shall attach to the person, persons, corporation, company, or

local authority to whom the same has been sold, in like manner as if such tramway was constructed by such person, persons, corporation, company, or local authority under the powers conferred upon them by special Act, and in reference to the same they shall be deemed to be the promoters.

Provided always, that a local authority shall not purchase any undertaking under the provisions of this section unless they shall decide to make such purchase by resolution passed at a special meeting of the members constituting such local authority, which resolution shall be made in the same manner and shall be subject to the same conditions as to validity as resolutions made in regard to the purchases by the next preceding section authorised.

Where any purchase is made by any local authority under the provisions of this section, such local authority may pay the purchase money and all expenses incurred by them in making such purchase out of the like funds, and for such purposes shall have all and the like powers and be subject to all the like conditions as if such purchase were made under the authority of the next preceding section.

Tolls.

Tolls, &c.

45. The promoters or lessees of a tramway authorised by special Act may demand and take, in respect of such tramway, tolls and charges not exceeding the sums specified in such special Act, subject and according to the regulations therein specified. A list of all the tolls and charges authorised to be taken shall be exhibited in a conspicuous place inside and outside each of the carriages used upon the tramways.

Byelaws.

Byelaws by local authority.

46. Subject to the provisions of the special Act authorising any tramway and this Act,

The local authority of any district in which the same is laid down may, from time to time, make regulations as to the following matters:

The rate of speed to be observed in travelling upon the tramway:

The distances at which carriages using the tramway shall be allowed to follow one after the other:

The stopping of carriages using the tramway:

The traffic on the road in which the tramway is laid.

Promoters may make certain regulations.

The promoters of any tramway and their lessees may from time to time make regulations,—

For preventing the commission of any nuisance in or upon any carriage, or in or against any premises belonging to them:

For regulating the travelling in or upon any carriage belonging to them.

And for better enforcing the observance of all or any of such regulations, it shall be lawful for such local authority and promoters respectively to make byelaws for all or any of the aforesaid purposes, and from time to time repeal or alter such byelaws, and make new byelaws, provided that such byelaws be not repugnant to the laws of that part of the United Kingdom where the same are to have effect.

Notice of the making of any byelaw under the provisions of this Act shall be published by the local authority or the promoters making the same by advertisement, according to the regulations contained in Part II. of the schedule (C.) to this Act annexed, and unless such notice is published in manner aforesaid such byelaw shall be disallowed by the Board of Trade.

No such byelaw shall have any force or effect which shall be disallowed by the Board of Trade within two calendar months after a true copy of such byelaw shall have been laid before the Board, and a true copy of every such proposed byelaw shall, not less than two calendar months before such byelaw shall come into operation, be sent to the Board of Trade, and shall be delivered to the promoters of such tramway if the same was made by the local authority, and to such local authority if made by the promoters.

Penalties may be imposed in byelaws.

47. Any such byelaw may impose reasonable penalties for offences against the same, not exceeding forty shillings for each offence, with or without further penalties for continuing offences, not exceeding for any continuing offence ten shillings for every day during which the offence continues; but all byelaws shall be so framed as to allow in every case part only of the maximum penalty being ordered to be paid.

Power to local authority to license drivers, conductors, &c.

48. The local authority shall have the like power of making and enforcing rules and regulations, and of granting licenses with respect to all carriages using the tramways, and to all drivers, conductors, and other persons having charge of or using the same, and to the standings for the same, as they are for the time being entitled to make, enforce, and grant with respect to hackney carriages, and the drivers and other persons having the charge thereof, and to the standings for the same in the streets and district of or under the control of the local authority: Provided always, that in any district in which any of the powers aforesaid in relation to hackney carriages and the matters aforesaid in connexion therewith are vested in any authority other than the local authority of such district, such authority shall have and may exercise the powers by this section conferred upon the local authority.

Offences.

Penalty for obstruction of promoters in

49. If any person wilfully obstructs any person acting under the authority of any promoters in the lawful exercise

laying out tramway.

of their powers in setting out or making, forming, laying down, repairing, or renewing a tramway, or defaces or destroys any mark made for the purposes of setting out the line of the tramway, or damages or destroys any property of any promoters, lessees, or licensees, he shall for every such offence be liable to a penalty not exceeding five pounds.

Penalties for wilful injury or obstruction to tramways, &c.

50. If any person, without lawful excuse (the proof whereof shall lie on him), wilfully does any of the following things; (namely,)

Interferes with, removes, or alters any part of a tramway or of the works connected therewith;

Places or throws any stones, dirt, wood, refuse, or other material on any part of a tramway;

Does or causes to be done anything in such manner as to obstruct any carriage using a tramway, or to endanger the lives of persons therein or thereon;

Or knowingly aids or assists in the doing of any such thing;

he shall for every such offence be liable (in addition to any proceedings by way of indictment or otherwise to which he may be subject) to a penalty not exceeding five pounds.

Penalty on passengers practising frauds on the promoters.

51. If any person travelling or having travelled in any carriage on any tramway avoids or attempts to avoid payment of his fare, or if any person having paid his fare for a certain distance knowingly and wilfully proceeds in any such carriage beyond such distance, and does not pay the additional fare for the additional distance, or attempts to avoid payment thereof, or if any person knowingly and wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit such carriage, every such person shall, for every such offence, be liable to a penalty not exceeding forty shillings.

Transient offenders.

52. It shall be lawful for any officer or servant of the promoters or lessees of any tramway, and all persons called by him to his assistance, to seize and detain any person discovered either in or after committing or attempting to commit any such offence as in the next preceding section is mentioned, and whose name or residence is unknown to such officer or servant, until such person can be conveniently taken before a justice, or until he be otherwise discharged by due course of law.

Penalty for bringing dangerous goods on the tramway.

53. No person shall be entitled to carry or to require to be carried on any tramway, any goods which may be of a dangerous nature, and if any person send by any tramway any such goods without distinctly marking their nature on the outside of the package containing the same, or otherwise giving notice in writing to the book-keeper or other servant with whom the same are left at the time of such sending, he shall be liable to a penalty not exceeding twenty pounds for every such offence, and it shall be lawful for such promoters

or lessees to refuse to take any parcel that they may suspect to contain goods of a dangerous nature, or require the same to be opened to ascertain the fact.

Penalty for persons using tramways with carriages with flange wheels, &c.

54. If any person (except under a lease from or by agreement with the promoters, or under license from the Board of Trade, as by this Act provided,) uses a tramway or any part thereof with carriages having flange wheels or other wheels suitable only to run on the rail of such tramway, such person shall for every such offence be liable to a penalty not exceeding twenty pounds.

Miscellaneous.

Promoters or lessees to be responsible for all damages.

55. The promoters or lessees, as the case may be, shall be answerable for all accident, damages, and injuries happening through their act or default, or through the act or default of any person in their employment by reason or in consequence of any of their works or carriages, and shall save harmless all road and other authorities, companies, or bodies, collectively and individually, and their officers and servants, from all damages and costs in respect of such accidents, damages, and injuries.

Recovery of tolls, penalties, &c.

56. All tolls, penalties, and charges under this Act, or under any byelaw made in pursuance of this Act, may be recovered and enforced as follows; in England before two justices of the peace in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of justices of the peace out of sessions within England and Wales with respect to summary convictions and orders," and any Act amending the same, and in Scotland before the sheriff or two justices as penalties under The Railways Clauses Consolidation (Scotland) Act, 1845.

Right of user only.

57. Notwithstanding anything in this Act contained the promoters of any tramway shall not acquire or be deemed to acquire any right other than that of user of any road along or across which they lay any tramway, nor shall anything contained in this Act exempt the promoters of any tramway laid along any turnpike road, or any other person using such tramway, from the payment of such tolls as may be levied in respect of the use of such road by the trustees thereof.

Arrangements between turnpike road trustees and promoters.

58. The trustees of any turnpike road and the promoters of any tramway proposed to be laid or laid along the same may, with the approval of the Board of Trade, enter into agreements with each other for the payment of a composition to such trustees in respect of the user of such road for such tramway and the conveyance of traffic thereon, and may with the same approval alter such agreements from time to time.

Reservation of rights of owners, &c. of mines.

59. Nothing in this Act shall limit or interfere with the rights of any owner, lessee, or occupier of any mines or minerals lying under or adjacent to any road along or across which any tramway shall be laid to work such mines and minerals, nor shall any such owner, lessee, or occupier be liable to make good or pay compensation for any damage which may be occasioned to such tramway by the working in the usual and ordinary course of their mines or minerals.

Reserving powers of street authorities to widen, &c. roads.

60. Nothing in this Act shall take away or affect any power which any road authority, or the owners, commissioners, undertakers, or lessees of any railway, tramway, or inland navigation, may have by law to widen, alter, divert, or improve any road, railway, tramway, or inland navigation.

Power for local or police authorities to regulate traffic in roads.

61. Nothing in this Act shall limit the powers of the local authority or police in any district to regulate the passage of any traffic along or across any road along or across which any tramways are laid down, and such authority or police may exercise their authority as well on as off the tramway, and with respect as well to the traffic of the promoters or of lessees as to the traffic of other persons.

Reservation of right of public to use roads.

62. Nothing in this Act or in any byelaw made under this Act shall take away or abridge the right of the public to pass along or across every or any part of any road along or across which any tramway is laid, whether on or off the tramway, with carriages not having flange wheels or wheels suitable only to run on the rail of the tramway.

Regulating inquiries before referee appointed by the Board of Trade.

63. Every inquiry which by this Act the Board of Trade are empowered to make or direct shall be made in accordance with the following provisions:

1. The inquiry shall be held in public before an officer to be appointed in that behalf by the Board, herein-after called the referee, and whose appointment shall be by writing, which shall specify all the matters referred to him:
2. Ten days notice at the least shall be given by the referee to the parties upon whose representation the Board of Trade shall have directed the inquiry, of the time and place at which the inquiry is to be commenced:
3. The inquiry shall be commenced at the time and place so appointed, and the referee may adjourn the inquiry from time to time as may be necessary to such time and place as he may think fit:
4. The referee by summons shall, on the application of any party interested in the inquiry, require the attendance before himself, at a place and time to be mentioned in the summons, of any person to be examined as a witness before him, and every person summoned shall attend the referee, and answer all questions touching the matter

to be inquired into, and any person who wilfully disobeys any such summons or refuses to answer any question put to him by such referee for the purposes of the said inquiry shall be liable to a penalty not exceeding five pounds: Provided always, that no person shall be required to attend in obedience to any such summons unless the reasonable charges of his attendance shall have been paid or tendered to him, and no person shall be required in any case in obedience to any such summons to travel more than ten miles from his place of abode:

5. The referee may and shall administer an oath, or an affirmation where an affirmation in lieu of an oath would be admitted in a court of justice, to any person tendered or summoned as a witness on the inquiry:

6. Any person who upon oath or affirmation wilfully gives false evidence before the referee shall be deemed guilty of perjury:

7. The referee shall make his report to the Board of Trade in writing, and shall deliver copies of the report upon request to all or any of the parties to the inquiry.

Rules for carrying Act into effect.

64. The Board of Trade may from time to time make, and, when made, may rescind, annul, or add to, rules with respect to the following matters:

1. The proceedings to be had before the Board under this Act:

2. The payment of money or lodgment of securities by way of deposits, the repayment and forfeiture of the same, the investment of the same, the amount and payment of interest or dividends from time to time accruing due on such deposits:

3. The plans and sections of any works to be deposited by promoters under this Act:

4. As to any other matter or thing in respect of which it may be expedient to make rules for the purpose of carrying this Act into execution.

Any rules made in pursuance of this section shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if enacted in this Act, and shall be judicially noticed.

Any rules made in pursuance of this section shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament.

SCHEDULE A.

PART I.

Districts of Local Authorities.	Description of Local Authority of District set opposite its Name.	The Local Rate.
	ENGLAND AND WALES.	
The city of London and the liberties thereof.	The Mayor, Aldermen, and Commons of the City of London.	The consolidated sewers rate.
The metropolis (1.) - -	The Metropolitan Board of Works.	The metropolitan consolidated rate.
Boroughs (2.) - -	The mayor, aldermen, and burgesses acting by the council.	The borough fund or other property applicable to the purposes of a borough rate, or the borough rate.
Any place not included in the above descriptions, and under the jurisdiction of commissioners, trustees, or other persons intrusted by any Local Act with powers of improving, cleansing, or paving any town.	The commissioners, trustees, or other persons intrusted by the Local Act with powers of improving, cleansing, or paving the town.	Any rate leviable by such commissioners, trustees, or other persons, or other funds applicable by them to the purposes of improving, cleansing, or paving the town.
Any place not included in the above descriptions, and within the jurisdiction of local board constituted in pursuance of the Public Health Act, 1848, and the Local Government Act, 1858, or one of such Acts.	The local board -	General district rate.
Any place or parish not within the above descriptions, and in which a rate is levied for the maintenance of the poor.	The vestry, select vestry, or other body of persons, acting by virtue of any Act of Parliament, prescription, custom, or otherwise, as or instead of a vestry or select vestry.	The poor rate.

Notes.

(1.) "The metropolis" shall include all parishes and places in which the Metropolitan Board of Works have power to levy a main drainage rate, except the city of London and the liberties thereof.

(2.) "Borough" shall mean any place for the time being subject to an Act passed in the session holden in the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide "for the Regulation of Municipal Corporations in England and Wales."

Districts of Local Authorities.	Description of Local Authority of District set opposite its Name.	The Local Rate.
	SCOTLAND.	
Places within the jurisdiction of any town council, and not subject to the separate jurisdiction of police commissioners or trustees.	The town council	The prison assessment or police assessment, as the local authority shall resolve.
In places within the jurisdiction of police commissioners or trustees exercising the functions of police commissioners under any General or Local Act.	The police commissioners or trustees.	
In any parish or part thereof over which the jurisdiction of a town council or of police commissioners or trustees exercising the functions of police commissioners does not extend.	The road trustees having the management of any road on which a tramway is proposed to be constructed.	The tolls, duties, and assessments leviable by the road trustees.

PART II.

Districts of Road Authorities.	Description of Road Authority of Districts set opposite its Name.
Parishes within the metropolis (1.) mentioned in schedule (A.) to the Metropolis Management Act, 1855.	The vestries appointed for the purposes of the Metropolis Management Act, 1855.
Districts within the metropolis (1.) formed by the union of the parishes mentioned in schedule (B.) to the Metropolis Management Act, 1855.	The board of works for the district appointed for the purpose of the Metropolis Management Act, 1855.

Note (1.)—The term "Metropolis" has in this Part the same meaning as in Part I. of this schedule.

PART III.

Approval of Application by Local Authority for a Provisional Order.

The approval of any intended application for a Provisional Order by a local authority shall be in manner following; that is to say,

A resolution approving of the intention to make such application shall be passed at a special meeting of the members constituting such local authority.

Such special meeting shall not be held unless a month's previous notice of the same, and of the purpose thereof, has been given in manner in which notices of meetings of such local authority are usually given.

Such resolution shall not be passed unless two thirds of the members constituting such local authority are present and vote at such special meeting and a majority of those present and voting concur in the resolution; provided that if in Scotland the local authority be the road trustees, it shall not be necessary that two thirds of such trustees shall be present at the meeting, but the resolution shall not be valid unless two thirds of the members present vote in favour of such resolution, and unless the said resolution is confirmed in like manner at another meeting called as aforesaid and held not less than three weeks and not more than six weeks thereafter. Where any such resolution relating to the metropolis as the same is defined in Part I. of this schedule, or to any district in Scotland of which road trustees are the local authority, has been passed in manner aforesaid, the intended application to which such resolution relates shall be deemed to be approved.

SCHEDULE B.

PROVISIONAL ORDERS.

PART I.

Advertisement in October or November of intended application.

(1.) Every advertisement is to contain the following particulars:

1. The objects of the intended application.
2. A general description of the nature of the proposed works, if any.
3. The names of the townlands, parishes, townships, and extra-parochial places in which the proposed works, if any, will be made.
4. The times and places at which the deposit under Part II. of this schedule will be made.
5. An office, either in London or at the place to which the intended application relates, at which printed copies of the draft Provisional Order, when deposited, and of the Provisional Order, when made, will be obtainable as herein-after provided.

(2.) The whole notice is to be included in one advertisement, which is to be headed with a short title descriptive of the undertaking.

(3.) The advertisement is to be inserted once at least in each of two successive weeks in some one and the same newspaper published in the district affected by the proposed undertaking, where the proposed works (if any) will be made; or if there be no such newspaper, then in some one and the same newspaper published in the county in which every such district, or some part thereof, is situate; or if there be none, then in some one and the same newspaper published in some adjoining or neighbouring county.

(4.) The advertisement is also, in every case, to be inserted once at least in the London or Edinburgh Gazette, accordingly as the district is situate in England or Scotland.

PART II.

Deposit on or before 30th November.

(1.) The promoters are to deposit—

1. A copy of the advertisement published by them.

2. A proper plan and section of the proposed works, if any, such plan and section to be prepared according to such regulations as may from time to time be made by the Board of Trade in that behalf.

(2.) The documents aforesaid are to be deposited for public inspection—

In England, in the office of the clerk of the peace for every county, riding, or division, and of the parish clerk of every parish and the office of the local authority of every district in or through which any such undertaking is proposed to be made; in Scotland, in the office of the principal sheriff clerk for every county, district, or division which will be affected by the proposed undertaking, or in which any proposed new work will be made.

(3.) The documents aforesaid are also to be deposited at the office of the Board of Trade.

Part III.

Deposit on or before 23rd December.

(1.) The promoters are to deposit at the office of the Board of Trade—

1. A memorial signed by the promoters, headed with a short title descriptive of the undertaking (corresponding with that at the head of the advertisement), addressed to the Board of Trade, and praying for a Provisional Order.
2. A printed draft of the Provisional Order as proposed by the promoters, with any schedule referred to therein.
3. An estimate of the expense of the proposed works, if any, signed by the persons making the same.

(2.) They are also to deposit a sufficient number of such printed copies at the office named in that behalf in the advertisement; such copies to be there furnished to all persons applying for them at the price of not more than one shilling each.

(3.) The memorial of the promoters (to be written on foolscap paper, bookwise, with quarter margin) is to be in the following form, with such variations as circumstances require:

[*Short title of undertaking.*]

To the Board of Trade,

The memorial of the promoters of [*short title of undertaking*]:

Showeth as follows;

1. Your memorialists have published, in accordance with the requirements of the Tramways Act, 1870, the following advertisement:

[*Here advertisement to be set out verbatim.*]

2. Your memorialists have also deposited, in accordance with the requirements of the said Act, copies of the said advertisement and [*here state deposit of the several matters required by Act*].

Your memorialists, therefore, pray that a Provisional Order may be made in the terms of the draft proposed by your memorialists, or in such other terms as may seem meet.

A.B.
C.D.
Promoters.

Part IV.

Deposit and advertisement of Provisional Order when made.

(1.) The promoters are to deposit printed copies of the Provisional Order, when settled and made, for public inspection in the offices of

clerks of the peace and sheriff clerks, where the documents required to be deposited by them under Part II. of this schedule were deposited.

(2.) They are also to deposit a sufficient number of such printed copies at the office named in that behalf in the advertisement, such copies to be there furnished to all persons applying for them at the price of not more than each.

(3.) They are also to publish the Provisional Order as an advertisement once in the local newspaper in which the original advertisement of the intended application was published, or in case the same shall no longer be published, in some other newspaper published in the district.

SCHEDULE C.

PART I.

Notice and Deposit of Lease by Local Authority.

One month before any lease is submitted to the Board of Trade, notice of the intention to make such lease shall be given by advertisement.

(1.) Every advertisement is to contain—

1. The term of the lease.
2. The rent reserved.
3. A general description of the covenants and conditions contained therein.
4. The place where the same is deposited for public inspection.

(2.) The advertisement is to be inserted once at least in each of two successive weeks in some one and the same newspaper published in the district affected by the proposed lease; or if there be no such newspaper, then in some one and the same newspaper published in the county in which such district, or some part thereof, is situate; or if there be none, then in some one and the same newspaper published in some adjoining or neighbouring county.

(3.) The advertisement is also, in every case, to be inserted once at least in the London or Edinburgh Gazette, accordingly as the district to which it relates is situate in England or Scotland.

Deposit.

A copy of such lease shall be deposited for public inspection during office hours at the office of the local authority or at some other convenient place within the district to which such lease relates.

PART II.

Notice of Byelaws.

Within one month after the making of any byelaw notice of the making of the same, and a copy of such byelaw, shall be published by advertisement in manner following:

(1.) The advertisement is to be inserted once at least in each of two successive weeks in some one and the same newspaper published in the district affected by such byelaw; or if there be no such newspaper, then in some one and the same newspaper published in the county in which such district, or some part thereof, is situate; or if there be none, then in some one and the same newspaper published in some adjoining or neighbouring county.

(2.) The advertisement is also, in every case, to be inserted once at least in the London or Edinburgh Gazette, accordingly as the district to which it relates is situate in England or Scotland.

CHAP. 79.

An Act for further regulation of Duties of Postage, and for other purposes relating to the Post Office.

[9th August 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as The Post Office Act, 1870.

Interpretation of terms.

2. In this Act—

"The Treasury" means the Commissioners of Her Majesty's Treasury or two of them:

"Treasury warrant" means a warrant under the hands of the Treasury:

"The Postmaster General" means Her Majesty's Postmaster General:

"Post Office regulations" means regulations made by the Postmaster General.

Channel Islands and Isle of Man.

3. For the purposes of this Act, the Channel Islands and the Isle of Man shall be deemed parts of the United Kingdom.

Repeal and limitation of enactments.

4. The enactments described in the first schedule to this Act shall, from and immediately after the thirtieth day of September one thousand eight hundred and seventy, be repealed; but that repeal shall not affect the past operation of any of those enactments, or the force or operation of any Treasury warrant or Post Office regulations made, or the validity or invalidity of anything done or suffered, or any right, title, obligation, or liability accrued, before that repeal takes effect; nor shall this Act interfere with the prosecution or institution of any proceeding in respect of any right, title, obligation, or liability accrued under, or any offence committed against, or any penalty or forfeiture incurred under, any of those enactments before that repeal takes effect; and section four of and schedule (A.) to the Act first described in the first schedule to this Act, or either of them, shall not be deemed to contain or affect the definition of a newspaper for the purposes of this Act or of any other enactment regulating the sending of newspapers by post.

Allowance for newspaper stamps on hand.

5. Where any person is possessed of any newspaper stamps made useless by this Act, the Commissioners of Inland Revenue, on application within six months after the thirtieth day of September one thousand eight hundred and seventy, may cancel and make allowance for the same as in case of spoiled stamps.

Certain publications to be deemed newspapers.

6. Any publication coming within the following description shall for the purposes of this Act be deemed a newspaper, (that is to say,) any publication consisting wholly or in great part of political or other news, or of articles relating thereto, or to

other current topics, with or without advertisements; subject to these conditions—

That it be printed and published in the United Kingdom;

That it be published in numbers at intervals of not more than seven days;

That it be printed on a sheet or sheets unstitched;

That it have the full title and date of publication printed at the top of the first page, and the whole or part of the title and the date of publication printed at the top of every subsequent page.

And the following shall, for the purposes of this Act, be deemed a supplement to a newspaper, (that is to say,) a publication consisting wholly or in great part of matter like that of a newspaper, or of advertisements, printed on a sheet or sheets or a piece or pieces of paper, unstitched, or consisting wholly or in part of engravings, prints, or lithographs illustrative of articles in the newspaper; such publication in every case being published with the newspaper, and having the title and date of publication of the newspaper printed at the top of every page, or at the top of every sheet or side on which any such engraving, print, or lithograph appears.

Registration of newspapers at Post Office.

7. The proprietor or printer of any newspaper within the description aforesaid, and the proprietor or printer of any publication which, regard being had to the proportion of advertisements to other matter therein, is not within the description aforesaid, but which was stamped as a newspaper before the passing of the Act lastly mentioned in the first schedule to this Act, may register it at the General Post Office in London, at such time in each year and in such form and with such particulars as the Postmaster General from time to time directs, paying on each registration such fee not exceeding five shillings as the Postmaster General, with the approval of the Treasury, from time to time directs.

The Postmaster General may from time to time revise the register and remove therefrom any publication not being a newspaper.

The decision of the Postmaster General on the admission to or removal from the register of a publication shall be final, save that the Treasury may, if they think fit, on the application of any person interested, reverse or modify the decision, and order accordingly.

Any publication for the time being on the register shall for the purposes of this Act be deemed a registered newspaper.

Postage on newspapers, book, and pattern or sample packets and cards.

8. From and after the thirtieth day of September one thousand eight hundred and seventy, registered newspapers, book packets, pattern or sample packets, and post cards, may be sent by post between places in the United Kingdom, at the following rates of postage:—

On a registered newspaper, with or without a supplement or supplements - - One halfpenny.

On each registered newspaper in a packet of two or more, with or without a supplement or supplements - - - One halfpenny.
On a book packet or pattern or sample packet:—
If not exceeding two ounces in weight One halfpenny.
If exceeding two ounces in weight, for the first two ounces and for every additional two ounces or fractional part of two ounces - - - One halfpenny.
On a post card - - - - One halfpenny.

Provided that a packet of two or more registered newspapers with or without a supplement or supplements shall not be liable under this section to a higher rate of postage than the rate chargeable on a book packet of the same weight.

Post Office regulations.

9. The Postmaster General may from time to time, with the approval of the Treasury, make, in relation respectively to registered newspapers, book packets, pattern or sample packets, and post cards, sent by post, such regulations as he thinks fit, for all or any of the following purposes:—

For prescribing and regulating the times and modes of posting and delivery:
For prescribing prepayment and regulating the mode thereof:
For regulating the affixing of postage stamps:
For prescribing and regulating the payment again of postage in case of re-direction:
For regulating dimensions and maximum weight of packets:
For regulating the nature and form of covers:
For prohibiting or restricting the printing or writing of marks or communications or words:
For prohibiting inclosures;

and such other regulations as from time to time seem expedient for the better execution of this Act.

Saving for parliamentary proceedings.

10. Nothing in this Act or in any Treasury warrant or Post Office regulations shall repeal or alter any provision of section 13, 16, or 17 of the Act secondly described in the first schedule to this Act as far as those sections relate to printed votes or proceedings of Parliament addressed to places in the United Kingdom.

Newspapers under arrangement or convention.

11. A registered newspaper shall be deemed a newspaper for the purposes of any arrangement or convention between Her Majesty's Government and any colonial or foreign government for securing advantages for newspapers sent by post.

Colonial and foreign postage of newspapers.

12. The Treasury may from time to time, by Treasury warrant, allow any newspapers, British, colonial, or foreign, to be sent by post between the United Kingdom and places out of the United Kingdom, or between places out of the United Kingdom, whether through the United Kingdom or not, at such rates of postage, not exceeding threepence for each

newspaper irrespectively of any colonial or foreign postage, and on such conditions, as they think fit, and according to Post Office regulations to be from time to time made in that behalf.

Any Treasury warrant and Post Office regulations made in that behalf before the passing of this Act are hereby confirmed; and the same shall continue in force unless and until altered by Treasury warrant or Post Office regulations (as the case may be).

Colonial and foreign book, &c. post.

13. The Treasury from time to time, by Treasury warrant, may regulate the sending of book packets and pattern or sample packets by post, between the United Kingdom and places out of the United Kingdom, or between places out of the United Kingdom, whether through the United Kingdom or not, and in relation thereto may prescribe rates of postage, weights, and other matters.

Any Treasury warrant and Post Office regulations made in that behalf before the passing of this Act are hereby confirmed; and the same shall continue in force unless and until altered by Treasury warrant or Post Office regulations (as the case may be).

Decision as to newspapers, packets, &c.

14. If a question arises whether any publication, not being a registered newspaper, is a newspaper or a supplement, or whether any packet is a book packet or pattern or sample packet, within this Act or any Treasury warrant or Post Office regulations, the decision thereon of the Postmaster General shall be final, save that the Treasury may, if they think fit, on the application of any person interested, reverse or modify the decision, and order accordingly.

Newspapers, &c. sent not in conformity with Act, &c.

15. If any registered or other newspaper, supplement, publication, book packet, pattern or sample packet, or post card, is sent by post otherwise than in conformity with this Act or any Treasury warrant or Post Office regulations, it shall be either returned to the sender thereof or forwarded to its destination in either case charged with such rate of postage not exceeding the letter rate of postage, or without any additional charge, as the Postmaster General, with the approval of the Treasury, from time to time directs, having been, if necessary, detained and opened in the Post Office.

Application to book packets, &c. of enactments as to post letters.

16. A book packet, pattern or sample packet, or post card sent by post shall be deemed a post letter, within the Act described in the second schedule to this Act.

Despatch and delivery of book packets, &c.

17. Where the despatch or delivery from a post office of letters would be delayed by the despatch or delivery therefrom at the same time of book packets, pattern or sample packets, and post cards, or any of them, the same or any of them may, subject and according to Post Office regulations, be detained in the Post Office until the despatch or delivery next following that by which they would ordinarily be despatched or delivered.

Provision for stamps, &c.

18. The Commissioners of Inland Revenue shall from time to time provide proper dies and other implements for denoting by adhesive or embossed or impressed stamps or otherwise the duties of postage payable in the United Kingdom under this Act or any Treasury warrant thereunder.

Those duties shall be deemed stamp duties, and shall be under the management of the Commissioners of Inland Revenue.

So much of the Act secondly described in the first schedule to this Act as relates to stamp duties under that Act shall apply to the stamp duties under this Act.

A newspaper or packet sent by post and the cover thereof (if any) shall be deemed a letter or cover (as the case may be) within section twenty-three of the Act secondly described in the first schedule to this Act; and a post card shall be deemed a letter within that section, and the duties under this Act shall be deemed to be comprised in the duties in that section referred to.

Prohibition of user of embossed or impressed stamps removed from paper, &c.

19. It shall not be lawful for any person to affix to a letter, newspaper, supplement, publication, packet, or card sent by post or to the cover thereof (if any), by way of prepayment of postage thereon, an embossed or impressed stamp cut out or otherwise separated from the cover or other paper, card, or thing on which such stamp was embossed or impressed, although such stamp has not been before sent by post or used.

If any letter, newspaper, supplement, publication, packet, or card is sent by post with a stamp affixed thereto or to the cover thereof (if any) that has been so cut out or separated, the postage thereof as far as it purports to be prepaid by that stamp shall be deemed to be not prepaid.

Prohibition of sending indecent articles, &c. by post.

20. The Postmaster General may from time to time with the approval of the Treasury make such regulations as he thinks fit for preventing the sending or delivery by post of indecent or obscene prints, paintings, photographs, lithographs, engravings, books, or cards, or of other indecent or obscene articles, or of letters, newspapers, supplements, publications, packets, or post cards, having thereon, or on the covers thereof, any words, marks, or designs of an indecent, obscene, libellous, or grossly offensive character.

Proof of Post Office regulations, &c.

21. The Documentary Evidence Act, 1868, shall have effect as if the Postmaster General were mentioned in the first column, and any Secretary or Assistant Secretary of the Post Office were mentioned in the second column, of the schedule to that Act; and any approval of the Treasury under this Act shall be deemed an order within that Act.

SCHEDULES.

THE FIRST SCHEDULE.

Enactments repealed.

6 & 7 Will. 4. c. 76. in part.	An Act to reduce the duties on newspapers, and to amend the laws relating to the duties on newspapers and advertisements	in part; namely,— Sections one to three (both inclusive), and sections thirty-four and thirty-five.
3 & 4 Vict. c. 96. - in part.	An Act for the regulation of the duties of postage - -	in part; namely,— Section eleven; sections thirteen, sixteen, and seventeen, as far as those three sections relate to printed votes or proceedings of Parliament, addressed to places out of the United Kingdom, or to newspapers; section forty-two; sections forty-four, forty-five, and forty-six, as far as those three sections relate to newspapers; and sections forty-seven to fifty-one (both inclusive).
11 & 12 Vict. c. 117.	An Act for rendering certain newspapers published in the Channel Islands and the Isle of Man liable to postage.	
16 & 17 Vict. c. 63. in part.	An Act to repeal certain stamp duties, and to grant others in lieu thereof, to give relief with respect to the stamp duties on newspapers and supplements thereto, to repeal the duty on advertisements, and otherwise to amend the laws relating to stamp duties - - -	in part; namely,— Sections three and four.
18 & 19 Vict. c. 27.	An Act to amend the laws relating to the stamp duties on newspapers, and to provide for the transmission by post of printed periodical publications.	

THE SECOND SCHEDULE.

Act referred to.

7 Will. 4. & 1 Vict. c. 36.—An Act for consolidating the laws relative to offences against the Post Office of the United Kingdom, and for regulating the judicial administration of the Post Office laws, and for explaining certain terms and expressions employed in those laws.

CHAP. 80.

An Act for taking the Census of Ireland.

[9th August 1870.]

WHEREAS it is expedient to take the census of Ireland in the year one thousand eight hundred and seventy-one:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation of terms.

1. In this Act—

The term "Lord Lieutenant" shall mean the Lord Lieutenant or other chief governors of Ireland:

The terms "chief secretary" and "under secretary" shall mean respectively the chief secretary and under secretary to the Lord Lieutenant.

Account of population to be taken.

2. An account of the population of Ireland shall be taken at the time and in the manner herein-after directed.

By whom the account shall be taken.

3. Such officers and men of the police force of Dublin metropolis, and of the Royal Irish Constabulary, as the Lord Lieutenant shall direct, together with such other competent persons as the Lord Lieutenant shall appoint to assist therein, shall upon Monday, the third day of April and one or more next consecutive days in the year one thousand eight hundred and seventy-one as the said Lord Lieutenant shall fix, severally visit every house within such districts as may be assigned to them respectively, and take an account in writing according to such instructions as may be given to them by the chief or under secretary of the number of persons who abode therein on the night of Sunday the second day of April one thousand eight hundred and seventy-one, and of the sex, age, religious profession, birthplace, and occupation of all such persons; and shall also take an account of the number of inhabited houses and of uninhabited houses and of houses then building within such districts respectively; and shall also distinguish those parishes and places, or parts of parishes and places, within each district respectively, which are within the limits of any city or borough returning a member or members to serve in Parliament; and shall also take an account of all such further particulars as by such instructions they may be directed to inquire into; and all the expenses which shall be incurred by authority of such Lord Lieutenant under this Act, subject to the sanction of the Commissioners of Her Majesty's Treasury, shall be paid out of such moneys as shall be provided by Parliament for that purpose.

Masters, &c. of gaols, &c. to be appointed enumerators of the inmates thereof.

4. The governor, master, or keeper of every gaol, prison, or house of correction, workhouse, hospital, or lunatic asylum, and every barrack master, and every master or keeper of every public or charitable institution which shall be determined upon by the Lord Lieutenant, shall act as the enumerator of the inmates thereof, and shall be bound to conform to such instructions as shall be sent to him by the authority of the Lord Lieutenant for obtaining the returns required by this Act, so far as may be practicable with respect to such inmates.

Forms, &c. to be furnished for their use.

5. For the more effectual obtaining of such accounts, the chief or under secretary shall prepare and cause to be printed such forms and instructions for the use of the several persons who shall be appointed as aforesaid to take or certify the said accounts as he shall deem necessary.

Power to make the inquiry.

6. The better to enable such persons to take the said accounts, they are hereby authorised and empowered to ask all such questions of all persons within their respective districts, respecting themselves or the persons constituting their respective families, and of all such further particulars as shall be necessary for the purpose of taking the said accounts.

Penalty for refusing to answer, or for giving false answers.

7. Every person refusing to answer or wilfully giving a false answer to any such questions, and every person in any way wilfully obstructing such persons in the execution of the duties required of them under this Act, shall for every such refusal, false answer, or wilful obstruction, on proof thereof being made before any justice or justices at petty sessions for the district in which such person shall reside, or, if such person shall reside within the police district of Dublin metropolis, before any of the divisional justices of such district, on the testimony of one or more credible witnesses, forfeit a sum not exceeding five pounds, at the discretion of the said justice or justices before whom such complaint shall be so made.

Penalty on persons employed if guilty of wilful default or neglect.

8. Every member of the said police force or of the Royal Irish Constabulary, or other person, who shall be so appointed to take the said accounts, or to assist therein, who shall make any wilful neglect, default, or falsification in any matters relating to the said accounts, shall for every such neglect, default, or falsification, on proof thereof being made before any justice or justices at petty sessions for the district in which he shall so act, or in case such member of the police or constabulary force, or other person, shall act for the police district of Dublin metropolis, before any of the divisional justices of such district, on the testimony of one or more credible witnesses, forfeit a sum not exceeding five pounds nor less than forty shillings, at the discretion of the said justice or justices before whom such complaint shall be so made.

Proceedings how to be taken, and penalties recovered and applied.

9. All proceedings under this Act, as to compelling the appearance of such member of the said police force or of the Royal Irish Constabulary force, or other person, or of any witness, and as to the hearing and determination of such complaints, or any other matter relating thereto, and as to the application of fines, amerciaments, and forfeited recognizances, imposed or levied under this Act at petty sessions, shall be subject in all respects to the provisions of "The Petty Sessions (Ireland) Act, 1851," as the same is amended by "The Petty Sessions Clerk (Ireland) Act, 1858," (when the case shall be heard in any petty sessions district,) and to the provisions of the Acts relating to the divisional police offices (when the case shall be heard in the police district of Dublin metropolis), so far as the said provisions shall be consistent with any special provisions of this Act; and when any fine or penalty is imposed at any of the divisional police offices of Dublin metropolis, under the provisions of this Act, such fines and penalties shall be paid over to the same purposes and appropriated and applied in the same manner as is now by law authorised in

Application of fines and penalties imposed.

respect of fines and penalties imposed at such divisional police offices respectively.

The persons taking the accounts to certify and affirm as to their correctness, and deliver them to the officer appointed to receive them.

10. The said several persons so appointed to take the said accounts, or to assist therein, shall sign and certify the same, and make solemn affirmation before any justice of the peace within the county, to the effect that the said account has been truly and faithfully taken by him (or them), and that to the best of his (or their) knowledge the same is correct, so far as may be known, and shall deliver the same to such officer of the said police force of the Royal Irish Constabulary, or other person, as may be appointed by the Lord Lieutenant to receive the same, within each county, city, town, or place; and such officer or person shall examine the same, and cause any defect or inaccuracy which may be discovered therein to be supplied or corrected, so far as may be possible, and shall certify and transmit the same to the office of the chief or under secretary, in such manner and within such time as the Lord Lieutenant shall direct, and the same shall be digested and reduced into order under the direction of the chief or under secretary, by such persons as the Lord Lieutenant shall appoint for that purpose; and an abstract thereof shall be laid before both Houses of Parliament within twelve months after the day on which the said account shall be taken, or (if Parliament be not then sitting) within the first fourteen days of the session next ensuing.

Such officer to transmit them to the office of the Chief Secretary.

An abstract thereof to be laid before Parliament.

Punishment of persons wilfully making false affirmation or declaration.

11. Every solemn affirmation or declaration made or signed under the authority of this Act shall be of the same force and effect as if the person making such affirmation or declaration had taken an oath in the usual form, so that if the person making such affirmation or declaration shall be convicted of having therein wilfully and falsely affirmed or declared any matter or thing, he shall be subject to the same pains, penalties, and forfeitures to which persons convicted of wilful perjury are subject.

CHAP. 81.

An Act to amend the Acts of the thirty-seventh year of King George the Third, chapter one hundred and twenty-seven, and the thirty-ninth and fortieth years of King George the Third, chapter fourteen.

[9th August 1870.]

WHEREAS in pursuance of two Acts passed, the one in the thirty-seventh year of the reign of King George the Third, chapter one hundred and twenty-seven, intituled "An "Act to shorten the time now required for giving notice of "the Royal intention of His Majesty, his heirs and successors, "that the Parliament shall meet and be holden for the despatch "of business, and more effectually to provide for the meeting "of Parliament in the case of a demise of the Crown," and the other in the session held in the thirty-ninth and fortieth

37 G. 3. c. 127.

years of the reign of King George the Third, chapter fourteen, intituled "An Act for empowering His Majesty to shorten "the time for the meeting of Parliament in cases of adjourn- "ment," Parliament may be summoned by Royal Proclamation to meet on any day not less than fourteen days from the day of the date of such proclamation, notwithstanding that Parliament was prorogued or both Houses of Parliament stood adjourned to some later day, and it is expedient to shorten the said period of fourteen days:

39 & 40 G. 3. c. 14.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Meeting of Parliament Act, 1870."

Summoning of Parliament.

2. Parliament may be summoned by a Royal Proclamation in manner provided by the recited Acts, to meet on any day not less than six days from the day of the date of such proclamation, and the recited Acts, so far as they relate to such summoning of Parliament, shall be construed as if six days were therein substituted for fourteen days.

CHAP. 82.

An Act to authorise the Commissioners of Her Majesty's Treasury to guarantee the payment of a loan to be raised by the Government of Canada for the construction of fortifications in that country.

[9th August 1870.]

WHEREAS by an Act of the Parliament of Canada of the year 1868, chapter forty-one, the Governor in Council was authorised to raise by way of loan upon the guarantee of the Commissioners of Her Majesty's Treasury (in this Act referred to as "the Treasury"), for the purpose of the construction of the fortifications therein mentioned, sums not exceeding one million one hundred thousand pounds, and the sums so raised, with the interest thereon, and such sums as might be necessary to repay the said loan, either by way of a sinking fund, not exceeding one per cent., or in such other way and subject to such conditions as the Governor in Council, with the assent of the Treasury, might determine, were charged on the Consolidated Revenue Fund of Canada next after the appropriation for the construction of the Intercolonial Railway:

And whereas it is expedient to authorise the Treasury to give such guarantee:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Canada Defences Loan Act, 1870."

Power to Treasury to guarantee loan.

2. The Treasury may guarantee, in such manner and form as they think fit, the payment of the principal of any loan raised by the Government of Canada in pursuance of the said Act, and of interest thereon at a rate not exceeding four per cent.

Conditions of guarantee.

3. The Treasury shall not give any guarantee under this Act unless and until provision is made to the satisfaction of the Treasury—

(1.) For the due payment, custody, and application of the money raised by the loan, in such manner as the Treasury from time to time direct:

(2.) For remitting to the Treasury the annual sums for the sinking fund by equal half-yearly payments, in such manner as the Treasury from time to time direct, and for the investment and accumulation thereof, under their direction, in the names of four trustees nominated from time to time, two by the Treasury and two by the Government of Canada.

Application of sinking fund.

4. The said sinking fund may be invested only in such securities as the Government of Canada and the Treasury from time to time agree upon, and shall, whether invested or not, be applied from time to time, under the direction of the Treasury, in discharging the principal of the said loan; and the interest arising from such securities (including the interest accruing in respect of any part of the loan discharged by means of the sinking fund), and the resulting income thereof, shall be invested and applied as part of such sinking fund.

Alteration of Act relating to guaranteed loan.

5. Every Act passed by the Parliament of Canada which in any way impairs the priority of the charge upon the Consolidated Revenue Fund of Canada created by that Parliament of the said loan and the interest and sinking fund thereof, and the sums paid out of the Consolidated Fund of the United Kingdom, and the interest thereon, shall, so far only as it impairs such priority, be void, unless such Act has been reserved for the signification of Her Majesty's pleasure.

Issue out of Consolidated Fund.

6. The Treasury are hereby authorised to cause to be issued from time to time out of the growing produce of the Consolidated Fund of the United Kingdom such sums of money as may at any time be required to be paid to fulfil the guarantee under this Act in respect either of principal or interest.

Certificate of amount paid out of Consolidated Fund.

7. The Treasury may from time to time certify to one of Her Majesty's Principal Secretaries of State the amount which has been paid out of the Consolidated Fund of the United Kingdom to fulfil the guarantee under this Act, and the date of such payment; such certificate shall be communicated to the Governor of Canada, and shall be conclusive evidence of the amount having been so paid and of the time when the same was so paid.

Accounts to be laid before Parliament.

8. The Treasury shall cause to be prepared, and laid before both Houses of Parliament, a statement of any guarantee given under this Act, and an account of all sums issued out of the

Consolidated Fund of the United Kingdom for the purposes of this Act within one month after the same are so given or issued, if Parliament be then sitting, or, if Parliament be not sitting, then within fourteen days after the then next meeting of Parliament.

CHAP. 83.

An Act to make better provision for the Police Force in the City of Londonderry, and to amend the Acts relating to the Royal Irish Constabulary Force.

[9th August 1870.]

WHEREAS the Lord Lieutenant of Ireland did, on the eleventh day of August one thousand eight hundred and sixty-nine, issue his warrant to certain commissioners directing them to hold a court of inquiry at Londonderry, and to report upon the existing local arrangements for the preservation of the peace of that borough, the magisterial jurisdiction exercised within it, and the amount and constitution and efficiency of the police force usually available there, and other matters relating thereto: And whereas the said commissioners having duly inquired into the said several matters as directed by the said warrant, have made their report thereon, dated the thirtieth day of November last, stating that the police arrangements of the borough need complete alteration: And whereas it is expedient that the police force maintained by the town council of the borough of Londonderry should cease to exist, and that with a view to provide for the more effectual preservation of the peace of the said borough a constabulary force should be appointed to be stationed therein: And whereas it is expedient to amend the Acts relating to the Royal Irish constabulary:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Present police force in Londonderry shall cease to exist.

1. From and after the commencement of this Act, it shall not be lawful for the town council of the borough of Londonderry to appoint or maintain any police force; and all persons who have been appointed superintendent, serjeants, or constables of the said force shall cease to hold their offices, and shall severally discontinue acting in such offices accordingly; and the Royal Irish constabulary force appointed to do duty in the city of Londonderry shall have and discharge all powers and duties now lawfully had and discharged by the police force of the borough.

Borough of Londonderry constituted a distinct district.

2. The municipal borough of Londonderry shall for the purposes of this Act be constituted a distinct district, hereinafter called the city of Londonderry; and all and every the provisions of the several Acts relating to the Royal Irish constabulary shall apply to the city of Londonderry.

Lord Lieutenant to add any number of men, not exceeding forty-five, to the constabulary force of Londonderry.

3. It shall be lawful for the Lord Lieutenant to appoint as the constabulary force in the city of Londonderry a number of constables and sub-constables not exceeding thirty, and to add to the said constabulary force under the provisions of this Act any number of men, not exceeding forty-five, which the Lord Lieutenant may think fit to provide for the more effectual preservation of the peace of the said city, and such additional number of men, together with the thirty hereinbefore mentioned, shall constitute the ordinary constabulary force of the said city.

As to expenses of additional force.

4. The expense of the said additional force, save as to the additional pay herein-after mentioned, shall, in the first instance, be advanced and defrayed in like manner as the expense of the force appointed under the Acts relating to the Royal Irish constabulary is to be advanced and defrayed; one moiety of the moneys so advanced shall be repaid by the town council of the borough of Londonderry by means of rates, to be applotted and levied in the same manner as the moneys hitherto raised and applied or which may be applicable in the said borough of Londonderry to the maintenance of a police force.

Inspector General shall transmit to town council of Londonderry half-yearly accounts.

5. The Inspector General of constabulary shall, with the assistance of the receiver, twice in each year ascertain the amount of the moneys chargeable under the provisions of this Act to the said city of Londonderry, and shall make out a certificate thereof under his hand, specifying the force or service in respect whereof such charge may have been incurred, and transmit the same, when signed by the receiver and approved and certified by the chief or under secretary to the Lord Lieutenant, to the town clerk of the borough of Londonderry, who shall lay the same forthwith before the town council, and thereupon the town council shall forthwith make and levy a rate sufficient for the payment thereof, and shall thereout, or out of any moneys in their hands, pay the amount mentioned in such certificate to the Paymaster General's department in Ireland.

Inspector General to appoint constables for night watch, who shall receive extra remuneration for night duty.

6. The Inspector General of constabulary shall fix the number of men who shall discharge the duties of a night watch, and for each of such men there shall be charged the sum of sixpence per diem, to be wholly defrayed by the town council of the borough of Londonderry, and such sum shall be included by the Inspector General of constabulary in the certificate to be furnished by him under this Act, and shall be raised and paid in manner therein directed; and it shall be lawful for the said Inspector General, with the approval of the Lord Lieutenant, to apply such sum to remunerate the constabulary force stationed in Londonderry, for discharging the duties of a night watch.

Restrictions as to age.

7. Notwithstanding any regulations requiring persons entering the constabulary force to be unmarried, or to be under a certain age, the Inspector General of the Royal Irish con-

stabulary force may, if he shall so think fit, admit into the said force any constable of the police force at the time of the passing of this Act maintained by the town council of the borough of Londonderry, whose age shall not exceed forty years, and who within one calendar month after the commencement of this Act shall apply to be admitted, and who in other respects shall be eligible according to the said regulations.

Superannuation, &c. of constabulary.

8. It shall be lawful for the town council of the said borough of Londonderry (if they shall so think fit) to grant to the superintendent, or to any serjeant or constable belonging to the police force at the time of the passing of this Act maintained by the said town council, whose office shall cease or become unnecessary by means of the provisions of this Act, such an adequate compensation, by way of yearly allowance or other gratuity, as shall to them seem just: Provided always, that any such compensation shall be wholly charged on and defrayed by the local funds which the said town council may have authority to levy.

Provisions as to rates applicable to support of police establishment to continue in force.

9. The several provisions of the local Acts in force within the borough of Londonderry relating to the applotment, levy, collection, recovery, and receipts of rates applicable wholly or in part to the support of the police force and establishment in the police district of the city of Londonderry shall continue in force notwithstanding the passing of this Act.

Power to Lord Lieutenant to vary number of constables, &c. for each county, &c.

10. It shall be lawful for the Lord Lieutenant, with the advice of Her Majesty's Privy Council in Ireland, within six months after the commencement of this Act, to alter or vary the number of constables and sub-constables for each county, city, or town specified in the schedule to the Constabulary (Ireland) Amendment Act, 1865, to such number as the Lord Lieutenant, with such advice as aforesaid, may consider to be required for each such county, city, or town, but so that the total number of constables and sub-constables to be distributed and allotted to all the counties, cities, and towns in the said schedule specified together with the thirty men by this Act authorised to be appointed for the city of Londonderry, shall not exceed the total number of constables and sub-constables fixed by the schedule of the said Act.

Amendment of 28 & 29 Vict. c. 70.

11. So much of the schedule annexed to the Constabulary (Ireland) Amendment Act, 1865, as fixes the number of sub-inspectors at two hundred and sixty-two and of head constables at three hundred and seventy-five, shall be and the same is hereby repealed, and the numbers of those ranks respectively shall from the commencement of this Act be two hundred and forty-four sub-inspectors and three hundred and fifty head constables for the whole of Ireland, exclusive of the reserve force, and the said inspectors and head constables of the said force may be from time to time distributed amongst the counties, cities, and towns in Ireland respectively as to the Lord Lieutenant shall seem fit.

Power to Lord Lieutenant to revise salaries for constabulary force.

12. Notwithstanding anything in section two of the Act passed in the twenty-ninth and thirtieth years of the reign of Her present Majesty, chapter one hundred and three, intituled "An Act to amend an Act to consolidate the law "relating to the constabulary force in Ireland," it shall be lawful for the Lord Lieutenant to fix and appoint such revised annual salaries as to him may from time to time seem proper, not exceeding the several sums herein-after specified, to be paid in such manner and subject to such regulations and provisions as he may direct, to the several persons herein-after mentioned; (that is to say,)

1. To the head constable major, an annual salary not exceeding ninety pounds:
2. To each head constable of the first class, an annual salary not exceeding seventy-six pounds fourteen shillings:
3. To twelve head constables of the first class, of long service or superior merit, but ineligible for further promotion, an addition to their respective salaries of ten pounds per annum each, making their total salaries respectively eighty-six pounds fourteen shillings per annum each:
4. To each head constable of the second class, an annual salary not exceeding sixty-five pounds:
5. To twelve head constables of the second class, of long service or superior merit, but ineligible for further promotion, an addition of ten pounds per annum, making their total salaries respectively seventy-five pounds per annum each:
6. To any number of constables, not exceeding sixty, of long service or superior merit, but ineligible for further promotion, an addition of four pounds per annum, making their total salaries respectively fifty-three pounds eight shillings per annum.

Power to appoint veterinary surgeon.

13. It shall be lawful for the Lord Lieutenant to appoint a veterinary surgeon to the Royal Irish constabulary, and such veterinary surgeon shall receive an annual salary of two hundred pounds per annum.

This Act and Acts relating to constabulary force to be construed as one.

14. This Act and the several Acts now in force relating to the Royal Irish constabulary shall be construed as one Act, so far as is consistent with the tenor hereof, and nothing herein contained shall be construed to deprive the Lord Lieutenant of any power now vested in him in relation to the said constabulary force.

Interpretation of terms.

15. The expression "Lord Lieutenant" in this Act shall mean the Lord Lieutenant or other chief governor or governors of Ireland.

Commencement of Act.

16. This Act shall commence from and after a day to be fixed by the Lord Lieutenant, and notified in the "Dublin Gazette," such day not being sooner than twenty-one days after such notification.

Short title.

17. This Act may be cited for all purposes as the "Constabulary (Ireland) Amendment Act, 1870."

CHAP. 84.

An Act to amend the Public Schools Act, 1868.

[9th August 1870.]

31 & 32 Vict. c. 118.

WHEREAS by the Public Schools Act, 1868, certain powers of making statutes and regulations and of making and proposing schemes are vested in the new governing bodies of the several schools to which the said Act applies:

And whereas it is provided by the said Act that all such powers shall, from and after a day named in the said Act, or such further time as may be determined by Her Majesty by Order in Council, pass to and vest in the Special Commissioners by the said Act appointed, subject as therein mentioned; and it is further provided that the powers conferred on the said Special Commissioners by the said Act shall be in force until such day as in the said Act mentioned, or a further day to which the same may be continued by Her Majesty as therein mentioned:

And whereas the powers so vested in the new governing bodies of the said schools have been continued by Her Majesty, but will, unless Parliament otherwise provides, on and after the first day of January one thousand eight hundred and seventy-one, pass to the said Special Commissioners:

And whereas it is expedient to postpone for such further time as is herein-after mentioned the transfer of such powers as aforesaid to the said Special Commissioners, and to continue for a further time the powers of the said Special Commissioners:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Public Schools Act, 1870."

Extension of powers of new governing bodies.

2. All powers by the Public Schools Act, 1868, or any Act amending the same, vested in the new governing bodies of the several schools to which the said Public Schools Act applies, shall continue vested in such new governing bodies respectively until the thirty-first day of July one thousand eight hundred and seventy-one, and from and after the said thirty-first day of July one thousand eight hundred and seventy-one, and not before, shall pass to and vest in the said Special Commissioners, subject nevertheless as in the said Act mentioned.

Duration of powers of Commissioners.

3. Subject to the provisions of this Act, all powers conferred on the Special Commissioners by the Public Schools

Act, 1868, or any Act amending the same, shall be in force until the thirty-first day of July one thousand eight hundred and seventy-two, and it shall be lawful for Her Majesty, if she think fit, by and with the advice of Her Privy Council, to continue the same until the thirty-first day of December one thousand eight hundred and seventy-two.

CHAP. 85.

An Act to declare the Hundred in which a Piece of Land in the County of Norfolk is situate, and to provide for the Assessment of the said Piece of Land to the County Rate. [9th August 1870.]

WHEREAS the greater part of the hamlet of South Town in the parish of Gorlston is situate in the county of Suffolk, but a portion of the said hamlet is situate in the county of Norfolk, and doubts have arisen whether the last-mentioned portion is included in any of the hundreds of the said county of Norfolk, and it is expedient to remove such doubts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Norfolk Boundary Act, 1870." Short title.

2. So much of the hamlet of South Town in the parish of Gorleston as is situate in the county of Norfolk shall be deemed for all purposes to be within and to be part of the hundred of East Flegg in the same county. Annexation of part of hamlet of South Town to the hundred of East Flegg.

3. The committee appointed or to be hereafter appointed in the county of Norfolk, in pursuance of the Act of the session of the fifteenth and sixteenth years of the reign of Her present Majesty, chapter eighty-one, "to consolidate and "amend the statutes relating to the assessment and collection "of county rates in England and Wales," for the purpose of preparing a basis or standard for county rate, may revise such basis or standard for the purpose of assessing that portion of the said hamlet of South Town which is in the county of Norfolk, in like manner as they may for the purpose of meeting any partial changes that may have occurred in the rateable value of a portion of the property liable to be assessed, and all the provisions of the said Act and any Act amending the same relating to such revision shall apply accordingly. Assessment to county rate of land annexed to hundred of East Flegg.

CHAP. 86.

An Act to amend and extend the Act sixteenth and seventeenth Victoria, chapter ninety-two, to make further provision for uniting counties in Scotland in so far as regards the jurisdiction of the Sheriff; and also to make certain provisions regarding the duties of Sheriffs and Sheriffs Substitute in Scotland.

[9th August 1870.]

WHEREAS it is expedient to amend and extend the Act sixteenth and seventeenth Victoria, chapter ninety-two, and to make further provision for uniting counties in Scotland in so far as regards the jurisdiction of the sheriff; and also to make certain provisions regarding the duties of sheriffs and sheriffs substitute in Scotland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

County of Kincardine to be united to county of Aberdeen.

1. The county of Kincardine, the office of sheriff whereof is now vacant, shall be and is hereby united with the county of Aberdeen into one sheriffdom, to be called the sheriffdom of Aberdeen and Kincardine, and the functions of the sheriff of the said county of Kincardine shall devolve on and are hereby devolved on and shall be discharged by the sheriff of the county of Aberdeen, who shall be and shall be denominated the sheriff of Aberdeen and Kincardine, without the necessity of any new commission being issued in his favour.

County of Banff to be united with counties of Aberdeen and Kincardine, and counties of Elgin and Nairn to be united with county of Inverness.

2. Whenever a vacancy shall occur in the office of sheriff of Banff, Elgin, and Nairn, the said counties shall be disunited and shall no longer constitute one sheriffdom, and the county of Banff shall be united with the counties of Aberdeen and Kincardine into one sheriffdom, to be thereafter called the sheriffdom of Aberdeen, Kincardine, and Banff, and the functions of the sheriff of the said county of Banff shall thereupon devolve on and be discharged by the sheriff of Aberdeen and Kincardine, who shall be and shall be denominated the sheriff of Aberdeen, Kincardine, and Banff, without the necessity of any new commission being issued in his favour; and the counties of Elgin and Nairn shall in like manner be united with the county of Inverness into one sheriffdom, to be called the sheriffdom of Inverness, Elgin, and Nairn, and the functions of the sheriff of the counties of Elgin and Nairn shall thereupon devolve on and be discharged by the sheriff of the county of Inverness, who shall be and shall be denominated the sheriff of Inverness, Elgin, and Nairn, without the necessity of any new commission being issued in his favour.

Counties of Orkney and Shetland to be

3. The counties of Sutherland and Caithness are hereby disunited, and shall no longer constitute one sheriffdom, and

the counties of Orkney and Shetland, the office of sheriff whereof is now vacant, shall be and are hereby united with the county of Caithness into one sheriffdom, to be called the sheriffdom of Caithness, Orkney, and Shetland, and the now existing sheriff of Sutherland and Caithness shall be and is hereby relieved and discharged of his office of sheriff, in so far as regards the county of Caithness; and the counties of Ross and Cromarty, the office of sheriff whereof is now vacant, shall be and is hereby united with the county of Sutherland into one sheriffdom, to be called the sheriffdom of Ross, Cromarty, and Sutherland, and the functions of the sheriff of the said counties of Ross and Cromarty shall devolve and are hereby devolved on and shall be discharged by the sheriff of Sutherland, who shall be and shall be denominated the sheriff of Ross, Cromarty, and Sutherland, without the necessity of any new commission being issued in his favour.

United with county of Caithness, and county of Sutherland to be united with counties of Ross and Cromarty.

4. Whenever a vacancy shall occur in the office of sheriff of Linlithgow, Clackmannan, and Kinross, the said counties shall be disunited and shall no longer constitute one sheriffdom, and the county of Linlithgow shall be united with the county of Mid-Lothian into one sheriffdom, to be called the sheriffdom of Mid-Lothian and Linlithgow, and the functions of the said sheriff of Linlithgow shall thereupon devolve on and be discharged by the sheriff of Mid-Lothian, who shall be and shall be denominated the sheriff of Mid- Lothian and Linlithgow, without the necessity of any new commission being issued in his favour; and the county of Kinross shall be united with the county of Fife into one sheriffdom, to be called the sheriffdom of Fife and Kinross, and the functions of the sheriff of Kinross shall thereupon devolve on and be discharged by the sheriff of Fife, who shall be and shall be denominated the sheriff of Fife and Kinross, without the necessity of any new commission being issued in his favour; and the county of Clackmannan shall be united with the county of Stirling into one sheriffdom, to be called the sheriffdom of Stirling and Clackmannan, and the functions of the sheriff of Clackmannan shall thereupon be devolved on and be discharged by the sheriff of Stirling, who shall be and shall be denominated the sheriff of Stirling and Clackmannan.

County of Linlithgow to be united with the county of Mid-Lothian, and the county of Kinross to be united with the county of Fife.

5. Whenever a vacancy shall occur in the office of sheriff of Haddington and Berwick the said counties shall be disunited and shall no longer constitute one sheriffdom, and the county of Haddington shall be united with the county of Mid-Lothian into one sheriffdom, to be called the sheriffdom of Mid-Lothian and Haddington, and the functions of the sheriff of Haddington shall thereupon devolve on and be discharged by the sheriff of Mid-Lothian, who shall be and shall be denominated the sheriff of Mid-Lothian and Haddington, without the necessity of any new commission being issued in his favour; and the county of Berwick shall be united with

County of Haddington to be united with the county of Mid-Lothian, and the county of Berwick to be united with the counties of Roxburgh and Selkirk.

the counties of Roxburgh and Selkirk into one sheriffdom, to be called the sheriffdom of Roxburgh, Berwick, and Selkirk, and the functions of the sheriff of Berwick shall thereupon devolve on and be discharged by the sheriff of Roxburgh and Selkirk, who shall be and shall be denominated the sheriff of Roxburgh, Berwick, and Selkirk, without the necessity of any new commission being issued in his favour.

Sheriffdom of Mid-Lothian, Linlithgow, Haddington, and Peebles, what to be called.

6. So soon as the counties of Mid-Lothian, Linlithgow, and Haddington are united as herein-before provided they shall constitute one sheriffdom to be called the sheriffdom of the Lothians, and when the county of Peebles is added thereto the said four counties shall be constituted one sheriffdom to be called the sheriffdom of the Lothians and Peebles.

Counties of Wigtown and Kirkcudbright to be united with the county of Dumfries.

7. Whenever a vacancy shall occur in the office of sheriff of Wigtown and Kirkcudbright the said counties shall no longer constitute one sheriffdom, but shall be united with the county of Dumfries into one sheriffdom, to be called the sheriffdom of Dumfries and Galloway, and the functions of the sheriff of Wigtown and Kirkcudbright shall thereupon devolve on and be discharged by the sheriff of Dumfries, who shall be and shall be denominated the sheriff of Dumfries and Galloway without the necessity of any new commission being issued in his favour.

County of Dumbarton to be united with the county of Stirling, and county of Bute with the county of Renfrew.

8. Whenever a vacancy shall occur in the office of sheriff of Dumbarton and Bute, the said counties shall be disunited, and shall no longer constitute one sheriffdom, and the county of Dumbarton shall be united with the county of Stirling into one sheriffdom, to be called the sheriffdom of Stirling and Dumbarton, and the functions of the sheriff of Dumbarton shall thereupon devolve on and be discharged by the sheriff of Stirling, who shall be denominated the sheriff of Stirling and Dumbarton, without the necessity of any new commission being issued in his favour; and the county of Bute shall be united with the county of Renfrew into one sheriffdom, to be called the sheriffdom of Renfrew and Bute, and the functions of the sheriff of Bute shall thereupon devolve on and be discharged by the sheriff of Renfrew, who shall be and shall be denominated the sheriff of Renfrew and Bute, without the necessity of any new commission being issued in his favour.

Sheriffdom of Stirling, Dumbarton, and Clackmannan.

9. As soon as the counties of Stirling, Dumbarton, and Clackmannan are united as herein-before provided, they shall constitute one sheriffdom, to be called the sheriffdom of Stirling, Dumbarton, and Clackmannan.

No separate appointments to be made to office of sheriff of the counties to be united.

10. After any union of counties shall have occurred under the provisions of this Act no separate appointment shall be made to the office of sheriff of any county so united, but appointment shall only be made to the office of sheriff of such united counties or sheriffdoms as vacancies shall occur after such union.

Sheriff to have no right to additional salary.

11. Nothing herein contained shall give any right to the sheriff of any such united counties to any additional salary beyond that enjoyed by him as sheriff of any county or counties before such union; but on any union taking place under this Act, it shall be lawful for the Lords of Her Majesty's Treasury to make such addition to the salary of the sheriffs of the united counties as they shall deem reasonable, to be paid out of money to be provided by Parliament for that purpose.

Union of counties to be complete as regards jurisdiction, &c. of sheriff and powers, privileges, &c. of procurators.

12. Every union of counties into one sheriffdom under the provisions of this and the recited Act, or either of them, shall be deemed to be a complete union to all intents and purposes in so far as regards the jurisdiction, powers, and duties of the sheriff and his substitutes, and in so far as regards the powers, duties, rights, and privileges of procurators before the courts of the sheriff. And the several counties of any such united sheriffdom shall not thereafter be regarded as separate sheriffdoms or jurisdictions, but as one sheriffdom and jurisdiction, in so far as regards the powers, duties, rights, and privileges of the sheriff and his substitutes, and the procurators of the sheriff's court.

Courts to be held and duties to be discharged by sheriffs.

13. It shall be lawful to Her Majesty, by one of her Principal Secretaries of State, to prescribe from time to time the number of courts to be held by the several sheriffs of Scotland who shall be appointed after the passing of this Act, and the times and places for holding such courts; and also from time to time to prescribe the duties of the office of sheriff which such sheriffs respectively are required to perform personally; provided always, that nothing herein contained, and no order made or direction given under the authority of this clause, shall affect the validity or legal authority of any act done by any sheriff or sheriff substitute in pursuance of his jurisdiction and lawful authority; and so much of the Act of the first and second Victoria, chapter one hundred and nineteen, as provides that every sheriff, with the exception of the sheriffs of the counties of Edinburgh and Lanark, shall after his appointment be in habitual attendance upon the Court of Session during the sittings thereof, shall be and is hereby repealed; but nothing herein contained shall affect the qualification for appointment to the office of sheriff as prescribed by the said Act.

Courts to be held and duties to be discharged by sheriffs substitute.

14. It shall be lawful to Her Majesty, by one of her Principal Secretaries of State, from time to time to prescribe the number of salaried sheriff substitutes of the several counties or sheriffdoms, and the places at which such salaried sheriff substitutes respectively are required generally to reside and attend for the performance of their duties, and the number of courts to be held by them, and the times and places of holding such courts.

CHAP. 87.

An Act to amend the Act twenty-third and twenty-fourth Victoria, chapter fifty, intituled "An Act "to abolish the Annuity Tax in Edinburgh and "Montrose, and to make provision in regard to the "Stipends of the Ministers in that City and Burgh, "and also to make provision for the Patronage of "the Church of North Leith;" and to make provision for the abolition of the Annuity Tax within the Parish of Canongate, and for the payment of the Minister of said Parish. [9th August 1870.]

WHEREAS it is expedient to amend the Act of the twenty-third and twenty-fourth Victoria, chapter fifty, intituled "An Act to abolish the Annuity Tax in Edinburgh "and Montrose, and to make provision in regard to the "stipends of the ministers in that city and burgh, and also "to make provision for the patronage of the church of North "Leith;" to enable the magistrates and council of Edinburgh to redeem the bond of annuity granted by them in virtue of said Act to the Edinburgh Ecclesiastical Commissioners; to abolish the annuity tax within the parish of Canongate; and to make further provisions regarding the management and patronage of the parish churches of Edinburgh, and the payment of the ministers thereof and of the Canongate:

And whereas it is also expedient to repeal certain of the provisions of the said Act applicable to Montrose, and to substitute other provisions in lieu thereof:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Bond of annuity redeemable.

1. The bond of annuity for four thousand two hundred pounds granted in virtue of the said Act twenty-third and twenty-fourth Victoria, chapter fifty, by the magistrates and council of Edinburgh to the Edinburgh Ecclesiastical Commissioners, shall be redeemable on payment, as herein-after provided, by the said magistrates and council to the said commissioners of the sum of fifty-six thousand five hundred pounds.

On redemption existing securities to be deemed discharged.

2. The said redemption may be made at the term of Martinmas one thousand eight hundred and seventy, or at any subsequent term of Whitsunday or Martinmas, upon three months previous notice in writing to the said commissioners; and on payment of the said sum of fifty-six thousand five hundred pounds being completely made, and receipt therefor being recorded in the register in which the said bond is recorded, the said bond and the existing securities therefor shall

by virtue of this Act be deemed to be validly discharged, subject to the claim of the said commissioners for the amount of the annuity due at the term of redemption, if such redemption take place at the term of Whitsunday, or if the redemption take place at the term of Martinmas, for the half year's annuity due at Candlemas then next ensuing.

Magistrates may apply funds of city towards redemption, and borrow not exceeding 56,500*l.*

3. The said magistrates and council shall be entitled and are hereby authorised to take out of the estate and revenues of the city of Edinburgh under their administration, and apply towards the redemption of the said bond, such sum as they shall judge proper and expedient; and they are hereby empowered to borrow on the security of said estate and revenues any sum not exceeding the said sum of fifty-six thousand five hundred pounds which they shall find necessary for the purpose of redeeming the said bond, and to pay the interest thereof, and from time to time as shall be proper and expedient in course of a due administration, to pay off the capital out of said estate and revenues; and it shall be lawful for them to grant all proper deeds of obligation and security for the money so borrowed; and it is declared that the estate and revenues in this clause referred to include the whole property and funds referred to in clause nine of the said Act of twenty-third and twenty-fourth Victoria, chapter fifty, and also the assessments by that Act and this Act authorised to be levied.

Nothing in this Act to affect the rights of the city creditors.

4. Nothing in this Act contained shall alter or affect the rights of the creditors of the city of Edinburgh, as secured by the Acts first and second Victoria, chapter fifty-five, seventh Victoria, chapter twenty, and thirty-first and thirty-second Victoria, chapter forty-two, and the securities for the sums to be borrowed in virtue of this Act are hereby declared to be postponed to the rights in security created by the said Acts, in so far as relates to the property thereby disponed or assigned for the security of the said creditors of the city, and the rights of the said creditors in relation thereto; nor shall any of the provisions of this Act affect the rights of any persons holding rights or securities over the special subjects or property acquired under the provisions of the Act tenth and eleventh Victoria, chapter forty-eight, or of the Act thirteenth and fourteenth Victoria, chapter seventy; and nothing in this Act contained shall authorise the creditors under this Act to interfere in any way with the administration of the property, funds, revenues, or income hereby assigned in security of the mortgages or cash credit bonds to be granted in virtue of this Act, so long as the interest and annual instalments of principal shall continue to be regularly paid.

Mortgages how to be executed.

5. All deeds of security to be granted under the provisions of this Act may be executed by the Lord Provost and the City Treasurer, as representing the said magistrates and council, and a deed of mortgage, in the form contained in the Schedule (A.) hereto annexed, or in a similar form, shall be a valid

and effectual obligation and security for money borrowed under the provisions of this Act, and every such mortgage may be transferred by indorsation in the form contained in the said schedule, or in a similar form.

Money may be raised on cash credit.

6. It shall be lawful for the magistrates and council to accept and take from any bank or banking company credit on a cash account to be opened and kept with such bank or banking company in the name of the magistrates and council according to the usage of bankers in Scotland, to the extent of the sum which the magistrates and council are by this Act authorised to borrow, and to make and grant mortgages and assignations of the property, income, and revenue of the city before specified, and the rates to be levied by them under the provisions hereof, in security of the payment of the amount of such credit or of the sums advanced from time to time on such cash account, with interest thereon; which mortgages and assignations may be in the form contained in Schedule (B.) to this Act annexed, or in a similar form: Provided always, that the whole sum due and owing by the magistrates and council on such cash account, and for money borrowed by them on bonds or mortgages as aforesaid, shall not, when taken together, exceed the sum of fifty-six thousand five hundred pounds by this Act authorised to be borrowed.

Power to borrow money from the Loan Commissioners.

7. In case notice shall be given by the said magistrates and council to the said Ecclesiastical Commissioners to redeem the said bond of annuity at the term of Martinmas one thousand eight hundred and seventy, or at the term of Whitsunday one thousand eight hundred and seventy-one, it shall be lawful for the said magistrates and council, at or prior to the said term of Martinmas one thousand eight hundred and seventy, or the said term of Whitsunday one thousand eight hundred and seventy-one, but not thereafter, in place of raising money in the above manner, to borrow on mortgage from the Public Works Loan Commissioners, and for the said Commissioners, out of funds at their disposal under this Act, to lend and advance to the said magistrates and council, under the direction and with the consent of the Commissioners of Her Majesty's Treasury, for the purposes of this Act, a sum not exceeding in the whole the sum of fifty-six thousand five hundred pounds, on such security as may be satisfactory to the said Public Works Loan Commissioners; the said sum of fifty-six thousand five hundred pounds to be repaid by half-yearly instalments within a period of ten years from the date of the advance, together with interest at the rate of three and a half per centum per annum on such part of the said sum of fifty-six thousand five hundred pounds as may from time to time remain due and unpaid.

Commissioners of Treasury may issue money for loan.

8. For the purposes of the above loan by this Act authorised, the Commissioners of Her Majesty's Treasury may from time to time, by warrant under the hands of two or more of them, cause to be issued out of the Consolidated Fund of the United

Kingdom, or the growing produce thereof, to the account of the Commissioners for the Reduction of the National Debt, any sum or sums of money not exceeding in the whole the sum of fifty-six thousand five hundred pounds, such money to be applied exclusively under this Act, and be at the disposal of the Public Works Loan Commissioners in like manner in all respects as money placed at their disposal under the Act of the session of the twenty-ninth and thirtieth years of Her Majesty, chapter seventy-two, and the Acts therein recited, subject nevertheless to the provisions of this Act, which provisions shall have full effect, notwithstanding anything in "The Public Works Loan Act, 1853," or any Act therein mentioned, to the contrary contained.

Extension of powers, &c. to this Act.

9. All the clauses, powers, authorities, provisoes, enactments, directions, regulations, restrictions, privileges, priorities, advantages, penalties, and forfeitures contained in and conferred and imposed by the said Acts or any of them, so far as the same may be made applicable and are not varied by this Act, shall be taken to extend to this Act and to everything to be done in pursuance of this Act, as if the same were herein repeated and set forth.

Power of levying increased assessments to continue until bond is redeemed and debt paid off.

10. The power of levying increased assessments conferred on the said magistrates and council by section eleven of the said Act of twenty-third and twenty-fourth Victoria, chapter fifty, shall, so far as now subsisting, but no farther, continue until the said bond shall be redeemed and discharged, and until the whole debt incurred by borrowing money under the authority of this Act shall be paid off, and shall then cease; and after the redemption and discharge of the said bond the said magistrates and council shall be bound to levy and collect the said increased assessments until the whole debt incurred by borrowing money under the authority of this Act shall be paid off: Provided always, that after the passing of this Act an account shall be kept, and annually published by the said magistrates and council, of the produce of said increased assessments, and the said publication shall be made at the same time and in the same manner as the account of the municipal expenditure of the city, and that after the redemption and discharge of the said bond of annuity the whole of said produce shall be used and applied to the purpose of paying off and extinguishing the debt incurred by borrowing money under the provisions of this Act, and the interest of said debt, and to no other purpose.

Tax in parish of Canongate to be imposed until bond is redeemed and debt paid off.

11. The tax imposed in the parish of Canongate under section four of the Act thirtieth and thirty-first Victoria, chapter one hundred and seven, shall continue to be imposed until the said bond shall be redeemed and discharged, and until the whole debt incurred by borrowing money under the authority of this Act shall be paid off, and shall then cease to be imposed; and from and after such redemption and discharge the said tax shall be levied, collected, and applied by the

magistrates and council of Edinburgh, in the same manner as the said increased assessments.

After which stipend to be paid by Ecclesiastical Commissioners.

12. From and after the redemption and discharge of said bond of annuity the stipend of the minister of the parish of Canongate shall be paid by the Edinburgh Ecclesiastical Commissioners out of the funds in their hands, under the said Act twenty-third and twenty-fourth Victoria, chapter fifty, and thirtieth and thirty-first Victoria, chapter one hundred and seven, and this Act.

Appropriation of church-door collections.

13. From and after the redemption and discharge of said bond one half of the ordinary church-door collections of the churches the ministers whereof are paid by the Edinburgh Ecclesiastical Commissioners shall be paid to the said commissioners by the kirk sessions of said churches respectively, and shall be applicable to the payment of precentors, beadles, and doorkeepers, and to defraying the expense of celebrating communion and heating and lighting the churches; and should any balance remain, the same may be applied, in the discretion of the said commissioners, to any ecclesiastical purpose within their charge.

Annual payment from revenues of Leith Docks to be redeemed.

14. Whereas by the Act first and second Victoria, chapter fifty-five, the Commissioners for the harbour and docks of Leith (herein-after called the Leith Dock Commissioners) are directed to pay annually out of the revenues of the harbour and docks of Leith into an account therein specified, in preference to all other payments, the sum of seven thousand six hundred and eighty pounds, and out of that sum the Remembrancer and Auditor of the Court of Exchequer in Scotland is directed to pay the sum of two thousand pounds annually to and for behoof of the ministers of the city of Edinburgh, to any person duly authorised by them to receive the same, which sum of two thousand pounds is by the Public Act twenty-third and twenty-fourth Victoria, chapter fifty, directed to be annually paid to the Edinburgh Ecclesiastical Commissioners: And whereas it is expedient that the said annual sum of two thousand pounds now payable by the Leith Dock Commissioners, being part of the said annual sum of seven thousand six hundred and eighty pounds, should be redeemed on payment to the said Ecclesiastical Commissioners of a capital sum of forty thousand pounds: Therefore, the Leith Dock Commissioners shall, on the fifteenth day of May one thousand eight hundred and seventy-one, pay to the said Ecclesiastical Commissioners the sum of forty thousand pounds, in redemption of the said annual sum of two thousand pounds, with interest of the said sum of forty thousand pounds at the rate of five pounds per centum per annum from the date of payment till paid; and on payment of the said sum of forty thousand pounds, and any interest which may become due thereon, the said Ecclesiastical Commissioners shall grant a discharge thereof and of the said annual sum of two thousand pounds, and the said annual

sum of seven thousand six hundred and eighty pounds payable out of the revenues of the said harbour and docks shall be reduced and restricted to five thousand six hundred and eighty pounds per annum, and the said annual sum of two thousand pounds shall cease to be payable by the said Remembrancer and Auditor of the Court of Exchequer to the said Ecclesiastical Commissioners.

Power to Leith Dock Commissioners to borrow money.

15. For the purpose of raising the said redemption money it shall be lawful for the Leith Dock Commissioners, in addition to any money borrowed or authorised to be borrowed by them before the passing of this Act, to borrow any sums of money not exceeding forty thousand pounds, and in security of the payment of the sums so borrowed and the interest thereon, to make and grant mortgages and assignations of the said harbour and docks, and the works and property vested in or acquired or to be acquired or constructed by the Leith Dock Commissioners, and the rates and duties to be levied by them under the authority of the Acts relating to the said harbour and docks, or any of them, or to accept and take from any bank credit on a cash account to be opened and kept with such bank in the name of the Leith Dock Commissioners, according to the usage of bankers in Scotland, or in such other form as may be preferred by such bank, to the extent of the said sum of forty thousand pounds or any part thereof, and, if required, to make and grant mortgages and assignations of the said harbour and docks and the said works, and property and rates and duties, in security of the payment of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon; and if after having borrowed the said sum, or any part thereof, the Leith Dock Commissioners pay off the same otherwise than by means of any sinking fund, it shall be lawful for them again to borrow the amount so paid off, and so from time to time; and the mortgages and assignations to be made and granted by the Leith Dock Commissioners may be in writing or printed, or partly in writing and partly printed, and shall be sealed with their common seal, and signed at and in presence of a meeting of the Leith Dock Commissioners, in the manner prescribed by the Public Act seventh Victoria, chapter twenty.

Incorporation of clauses of 10 & 11 Vict. c. 16.

16. The clauses of "The Commissioners Clauses Act, 1847," with respect to the mortgages to be executed by the Commissioners, with the exception of section eighty-four, are hereby incorporated with this Act, and shall be applicable to the money to be borrowed and the mortgages and assignations to be granted by the Leith Dock Commissioners under the authority of this Act.

Priority of money borrowed by Leith Dock Commissioners.

17. The said sum of forty thousand pounds, and the mortgages and assignations or other securities to be granted therefor, and the interest payable thereon, shall be and are hereby constituted preferable burdens on the said harbour and

docks and the said works and property and rates and duties, and shall have priority over all other mortgages, assignations and securities granted or to be granted by the Leith Dock Commissioners for money borrowed or to be borrowed by them, and over all other payments out of the revenues of the said harbour and docks, except the sum of three thousand one hundred and eighty pounds payable annually to the creditors of the city of Edinburgh in terms of the said Act first and second Victoria, chapter fifty-five, being part of the said annual sum of seven thousand six hundred and eighty pounds, and which annual sum of three thousand one hundred and eighty pounds shall rank pari passu with the said sum of forty thousand pounds and the interest thereon.

Application of money borrowed by Leith Dock Commissioners.

18. The money borrowed by the Leith Dock Commissioners under the authority of this Act shall be applied in paying the said sum of forty thousand pounds, and in redeeming the said annual sum of two thousand pounds, and to no other purpose whatever.

Presentations to certain churches to cease.

19. It shall not be competent to the Ecclesiastical Commissioners, or to any patron or patrons, or to any presbytery, to nominate or present a minister to any of the five churches or charges specified in section twenty-one of the said Act twenty-third and twenty-fourth Victoria, chapter fifty, or to the parish of New Canongate, and the said churches and charges, and the said parish of New Canongate, shall not be provided with ministers or otherwise maintained as churches and charges endowed by law: Provided always, that it shall be competent to the said Commissioners, by a minute under their corporate seal, to annex for all parochial purposes such portions of such of the parishes attached to the said five churches or charges, or of the said parish of New Canongate, as may be specified in such minute to any of the other parishes in the said city or Canongate, and it shall be lawful for said Commissioners to raise to six hundred pounds the stipend of each minister of the city of Edinburgh who is now entitled to a stipend of five hundred and fifty pounds only.

Provided further, that nothing herein contained shall prevent the Tolbooth church, and the old church, or either of them, being provided with a minister or ministers of the Church of Scotland who shall be paid or endowed from voluntary sources; and in case a permanent endowment from voluntary sources shall be provided and secured to a minister or ministers for both or either of said churches, and provision made for maintaining the church or churches, all in such manner as to warrant the erection and constitution of a church and parish quoad sacra, according to the existing law, the said Commissioners are hereby authorised and required to concur so far as may be necessary on their part in the proper proceedings, before the court of Commissioners of Teinds, in order to the erection and constitution of a church and parish quoad sacra with respect to both or either of said churches.

Patronage of other churches transferred to Ecclesiastical Commissioners.

20. The patronage of the parish churches of the city of Edinburgh is hereby transferred to and vested in the Edinburgh Ecclesiastical Commissioners as trustees for the respective congregations of said churches, and the said Commissioners shall on the occurrence of each vacancy exercise the said patronage by issuing a presentation in accordance with the desire of the congregation of the vacant church as expressed by a majority of the male communicants thereof, whose names have been on the communion roll for not less than one year immediately preceding the vacancy; and the said Commissioners shall be at liberty from time to time to make regulations with respect to the mode of taking the votes of such communicants.

Application of money by Ecclesiastical Commissioners.

21. The said Ecclesiastical Commissioners shall be entitled and bound to invest the whole money which shall be paid to them under this Act on such securities as they shall consider proper, or in the purchase of land, and shall be entitled and bound to use and apply the interest, rents, and proceeds thereof for the purposes specified in the said Act twenty-third and twenty-fourth Victoria, chapter fifty, and this Act.

Power to increase stipends of whole ministers.

22. It shall be in the power of the Commissioners to increase the stipends of the whole minsters falling under the operation of this Act rateably according to the amount presently payable to each, and that by minute under their corporate seal.

Application of the proceeds of the Makcall mortification.

23. The annual produce of the mortification of David Makcall, mentioned in section six of the Act of thirtieth and thirty-first Victoria, chapter one hundred and seven, shall hereafter be paid by the magistrates and town council to the Edinburgh Ecclesiastical Commissioners, and together with the bishop's rents, kirkyard dues, and other sums, with the exception of sums contributed by the Endowment Committee of the Church of Scotland, vested in the said Commissioners by section seven of the said Act, shall be appropriated by them solely to the use of the minister of the parish of Canongate.

Commissioners may sell or let New Street Church.

24. The Commissioners may, if they think fit, with the consent and approval of the presbytery of Edinburgh, or a majority of the same, sell and dispose of, or let or lease, the church situate within the new parish of Canongate, sometime called New Street Church, and the price or rents, as the case may be, to be received by the Commissioners shall be held and applied by them as herein-after directed.

Application of funds of Ecclesiastical Commissioners.

25. The Commissioners shall be bound to keep accounts of their receipts and expenditure, under the Acts of twenty-third and twenty-fourth Victoria, chapter fifty, and the Act of thirtieth and thirty-first Victoria, chapter one hundred and seven, and this Act, and to apply the property and income to be received by them according to the following provisions; that is to say,—

1. They shall keep two separate and distinct accounts, one to be called (and herein-after referred to as) "The

Stipend Fund Account," and another to be called (and herein-after referred to as) "The General Purposes Fund Account."

2. Until the redemption moneys mentioned in sections one and fourteen of this Act shall have been paid, the following sums shall be annually paid into an account to be called "The Stipend Fund Income Account:"
   1. The present annual payment of four thousand two hundred pounds, and two thousand pounds.
   2. The proceeds of the seat rents of the churches the stipends whereof are paid by the Commissioners to the extent of one thousand six hundred pounds.
   3. The sum payable to the said Ecclesiastical Commissioners in terms of the fourth section of said Act thirtieth and thirty-first Victoria, chapter one hundred and seven.

   After the redemption of either of the said present annual payments, the following sums shall be paid into the "Stipend Fund Income Account:"
   1. The interest or annual proceeds of the redemption money of the payment which has been redeemed.
   2. The annual payment which has not been redeemed.
   3. The said seat rents to the extent of two thousand pounds in the event of its being the payment from exchequer which shall be redeemed; and to the extent of three thousand pounds in the event of its being the bond of annuity which shall be redeemed.
   4. In the event of its being the payment from exchequer which shall be redeemed the sum payable to the Ecclesiastical Commissioners under the fourth section of the Act thirtieth and thirty-first Victoria, chapter one hundred and seven.

   After the redemption of both annual payments, the following sums shall be paid into the said "Stipend Fund Income Account:"
   1. The interest of the redemption moneys.
   2. The seat rents to the extent of four thousand two hundred pounds.
3. The balance, if any, of the seat rents, beyond the sum of four thousand two hundred pounds, and all other funds payable to and revenues received by the Commissioners, shall be exclusively applicable to and be paid to the credit of "The General Purposes Fund."
4. Out of the Stipend Fund Account the Commissioners shall make payment, in two equal portions, at the terms of Candlemas and Whitsunday one thousand

eight hundred and seventy-one, and annually thereafter, to each of the ministers for the time being of the parochial churches of the said city, after mentioned, or to any person duly authorised to receive the same on behalf of the said ministers, a stipend or salary of six hundred pounds per annum except as after mentioned; that is to say, to the ministers of the thirteen following churches, namely, the New North Church, Trinity College Church, Lady Yester's Church, Old Greyfriars' Church, New Greyfriars' Church, St. John's Church, St. George's Church, St. Mary's Church, St. Stephen's Church, Greenside Church, The High Church, The Tron Church, and St. Andrew's Church, provided that the portion of the said salaries or stipends to be paid at the term of Candlemas shall be for the period from Whitsunday to Michaelmas preceding, and the portion to be paid at the term of Whitsunday shall be for the period from Michaelmas to Whitsunday, and shall be subject to the whole conditions applicable by law to the stipends or salaries formerly payable to the ministers of Edinburgh from the produce of the impost or tax formerly levied under the name of the annuity tax within the ancient and extended royalties of the city of Edinburgh, as referred to in the second section of the Act of twenty-third and twenty-fourth Victoria, chapter fifty; provided always, that the ministers of the following churches, viz., the Trinity College Church, the Tron Church, Old Greyfriars' Church, and St. Stephen's Church, shall not be entitled to demand a salary or stipend of more than five hundred and fifty pounds per annum until the events herein-after specified; and also provided that, upon the death or removal of any of the present ministers of the nine remaining churches, the successor or successors of such minister or ministers shall not be entitled to demand a salary or stipend of more than five hundred and fifty pounds per annum, until the events after specified. Further, the Commissioners, while the bond of annuity and payment from exchequer remains unredeemed, shall pay to the minister of the Canongate Church the sums of money specified under the ninth section of the Act thirtieth and thirty-first Victoria, chapter one hundred and seven; provided always, that after the said bond and payment have been redeemed, the minister of the said Canongate Church shall not be entitled to demand more than two hundred and fifty pounds, until the events after specified; and if the Stipend Fund Account shall not be sufficient to pay in any year the stipends due to the existing incumbents, the Commissioners shall be authorised, as often as any deficiency arises, to raise and apply such portion of the capital as may be neces-

sary to meet such payments; and after the payment of such stipends, and also after repaying any such sum as may have been contributed out of the capital to meet deficiencies, the Commissioners shall, at their option, and according to their discretion, apply the balance, if any, of the Stipend Fund Account for any of the other purposes authorised by the Acts of twenty-three and twenty-four Victoria, chapter fifty, and thirty and thirty-one Victoria, chapter one hundred and seven, and this Act, except those hereby specially charged on the "General Purposes Fund:" Provided always, that if at any time the Stipend Fund Account shall not in the opinion of the Commissioners be sufficient to enable them to pay to any minister to be hereafter appointed to any church, the stipend whereof is by this Act made payable by the Commissioners, the full amount of the stipend which under this Act he is entitled to receive, they shall not be required to pay to any such minister a greater sum than such proportion of his stipend as the said Stipend Fund Account will in their opinion then enable them to pay.

5. The Commissioners shall hold the General Purposes Fund Account for the purposes following; that is to say,—

(First.) The costs, charges, and expenses properly incurred by the Commissioners, and in payment of the salaries of all officers and servants properly employed by them in carrying the provisions of this and the recited Acts into effect, and of the feu duties payable by the Commissioners; and in insuring the several churches against loss by fire, to such extent as they shall think necessary; and maintaining and upholding in repair the fabric thereof, and in payment of the proportion of the salaries of the clerk of the Synod of Lothian and Tweeddale, and the clerk and officer of the presbytery of Edinburgh, payable for the said churches, or any of them.

(Second.) So far as the Commissioners may consider necessary, and in the event of the kirk sessions, or any of them, not being able to pay the same out of the church-door collections or otherwise, the whole or any part of the expenses of the celebration of Divine ordinances in the respective churches, and in the maintenance and repair of the fabrics of the said churches.

And with regard to Montrose, be it enacted as follows:

Town council shall pay over a sum of 1,500*l.* to kirk session.

26. At or before the first term of Whitsunday following the vacancy in the second charge of the church and parish of Montrose, first occurring after the passing of this Act, the provost, magistrates, and town council of the said burgh shall pay from the first and readiest of the corporate funds of the

said burgh to the kirk session of the said church and parish the sum of one thousand five hundred pounds, and shall within two months of the passing of this Act execute and deliver to the treasurer of the said kirk session for their behoof, a bond therefor in the terms contained in Schedule (C.) annexed to this Act, and shall likewise execute and deliver to the said kirk session a valid transfer in their favour of the whole pews or seats in said church now belonging to the said provost, magistrates, and town council, with entry thereto at the first term of Whitsunday following said vacancy, and the annual interest of the said sum of one thousand five hundred pounds and the annual rents of said pews or seats shall be paid by the said kirk session to the succeeding minister of the said second charge and his successors in office by equal portions at the terms of Martinmas and Whitsunday respectively.

Kirk session to pay a sum of 70*l.* per annum to minister of second charge out of rents, church seats, &c.

27. From and after the first term of Whitsunday or of Martinmas following the vacancy in the second charge out of the first and readiest of the whole rents of lands and church seats, feu duties, ground annuals, and interest of moneys now belonging to or administered by the said kirk session, their treasurer or others on their behalf, the said kirk session, treasurer, and others, shall pay to the succeeding minister of the said second charge and his successors in office an annual sum of seventy pounds by equal portions at the terms of Martinmas and Whitsunday respectively, which annual sum shall be a real and preferable first charge and burden in favour of the said second minister and his successors in office upon the said lands, feu duties, ground annuals, and interests aforesaid, and upon the gross rents and revenues arising therefrom, after deduction only from such gross rents and revenues of the minister's stipend the public and local burdens and taxes and the expenses of repairs of buildings belonging to the said kirk session upon said lands.

Kirk session to pay 60*l.* per annum out of church-door collections.

28. From and after the said term of Whitsunday or Martinmas following the vacancy in the said second charge the said kirk session shall, out of the first and readiest of the ordinary church-door collections, pay, by equal portions at the terms of Martinmas and Whitsunday respectively, to the succeeding minister and his successors in office an annual sum of not less than sixty pounds, which annual sum shall be the first charge upon the said collections, and the remainder, if any, of such collections shall belong to and be applied by the said kirk session for the payment of precentors, beadles, doorkeepers, and other officers of the said church and kirk session, and for such other purposes connected with the said church and parish as the said kirk session shall think fit.

Kirk session may levy assessments on pews and seats.

29. From and after the first term of Whitsunday or Martinmas following the vacancy in the second charge of the church and parish of Montrose first occurring after the passing of this Act, it shall be lawful for the kirk session of the said

church and parish, and they are hereby required, to impose and levy pew or seat rents or assessments on not more than nine tenths of the pews or seats in the said church, at such rate as shall, in addition to the aforesaid annual interest of the said sum of one thousand five hundred pounds, the annual rents of the said pews or seats to be transferred as aforesaid, the said sum of seventy pounds, and the said sum of not less than sixty pounds, together with any stipend or salary which may arise from the interest of any endowment hereafter made for the minister of the second charge, or which may be provided for him by means of special church-door collections, yield an annual sum sufficient to provide for such minister and his successors in office a stipend not exceeding the sum of three hundred and forty pounds.

Forfeiture of seats in default of payment.

30. The said pew or seat rents or assessments so imposed and levied shall be exigible from and payable by the proprietors of said pews or seats, and that annually and in advance, from and after the first term of Whitsunday or Martinmas following said vacancy, and in the event of two years pew or seat rents or assessments so imposed being due by any proprietor at one time, such proprietor (or the person acting for him in uplifting the said seat rents) shall, upon receiving two months written notice to that effect, ipso facto, forfeit and lose all right and title to the said pews or seats, and the same shall thenceforth become the property of the said kirk session and be used or let by them, and shall be subject to the same rent or assessment in favour of the second minister as if the same had remained the property of the original proprietor: Provided always, that such proprietor or his successors shall be entitled to redeem the same at any time thereafter upon payment to the kirk session of all arrears of rents or assessments and interest arising thereon at the rate of five pounds per cent. per annum, but without any claim against the said kirk session for any rents which may have been uplifted therefrom during the possession of the said kirk session.

Kirk session to fix the amount of stipend for clergyman of second charge.

31. Power is hereby given to the kirk session (or a majority thereof), with the sanction of the presbytery of Brechin (or a majority thereof), previous to the appointment of any clergyman to any vacancy in the said second charge, to fix the amount of stipend to be paid to such clergyman, and raised in manner aforesaid, provided that such shall not exceed the foresaid sum of three hundred and forty pounds.

Repeal of Acts at variance with this Act.

32. Section six of the Act twenty-third and twenty-fourth Victoria, chapter fifty, and section eight of the Act thirty and thirty-first Victoria, chapter one hundred and seven, so far as they authorise the respective kirk sessions to retain any portion of the seat rents for any purpose, and all laws, statutes, and usages, in so far as the same are at variance with the provisions of this Act, are hereby repealed.

SCHEDULE (A.)

Form of Mortgage.

Mortgage No. £

By virtue of an Act passed in the thirty-third year of the reign of Her Majesty Queen Victoria, intituled [*here insert the title of this Act*], we, the Lord Provost, magistrates, and council of the city of Edinburgh, for ourselves, and as representing the community of the said city, in consideration of the principal sum of [*specify amount*] paid by [*name and designation of mortgagee*] to the city treasurer for the purposes of the said Act, do hereby, subject to the rights of the creditors and others of the said Act reserved, grant and assign the whole estate and revenues of the city of Edinburgh under our administration and referred to in clause three of the said Act, to hold to the said mortgagee and his foresaids until the said principal sum and interest thereon from the date hereof till paid shall be fully paid and satisfied.

Dated this day of one thousand eight hundred and

[*To be signed by the Lord Provost and the city treasurer, and to have the corporate seal attached.*]

Form of Transfer to be endorsed.

I, *A.B.*, within designed [*or* I, *A.B.*, *executor-dative or otherwise, as the case may be, of the said within designed*] do transfer this mortgage, with all right, title, and interest which I have under the same, to *E.F.*, [*as his, her, or their, as may be*] executors, administrators, and assignees. In witness whereof [*insert testing clause according to the law of Scotland. If executed furth of Scotland, the form of execution and attestation used in England may be adopted.*]

SCHEDULE (B.)

Form of Mortgage for Cash Credit.

By virtue of an Act passed in the thirty-third year of the reign of Her Majesty Queen Victoria, intituled [*here insert the title of this Act*], we, the Lord Provost, magistrates, and council of the city of Edinburgh, for ourselves, and as representing the community of the said city, in consideration of our having obtained from [*name of the bank*] a credit or cash account to be operated upon by the city treasurer, for the purposes of the said Act, either by cheques or drafts under his hand, or by debiting the said account under his direction with obligations due and payable by us or under our authority, do hereby grant and assign to the said [*name of bank*] and their assignees the whole estate and revenues of the city of Edinburgh under our administration and referred to in clause three of the said Act, and that in security and for payment of the amount of the said credit, or otherwise, of the sums advanced from time to time on the said cash account, with interest thereon, at the rates chargeable by the said bank on cash credit accounts for the time, to hold to the said bank and their foresaids, until the said principal sum of credit, or such part thereof as may be advanced from time to time as aforesaid, and interest thereon at the rate foresaid, shall be fully satisfied and paid.

[*To be executed as provided in regard to mortgages.*]

SCHEDULE (C.)

By virtue of an Act passed in the thirty-third year of the reign of Her Majesty Queen Victoria, intituled [*here insert the title of this Act*], we, Robert Barclay, Esquire, Provost of the Burgh of Montrose, and Messieurs David Mitchell, Charles Low, and David Lackie Bailies, and David Keith Middleton, treasurer thereof, and the remanent members of the council of the said burgh of Montrose, as representing the community of the said burgh, bind and oblige ourselves and our successors in office in terms of the said Act to pay to Charles Dunbar, merchant in Montrose, treasurer to the Kirk Session of the church and parish of Montrose, and his successors in that office, for behoof of the said kirk session for the purposes expressed or referred to in section twenty-four of the said Act, or to his or their assignees, at the first term of Whitsunday following the vacancy in the second charge of the said church and parish of Montrose first occurring after the passing of the said Act, the principal sum of one thousand five hundred pounds sterling, with a fifth part more of the foresaid principal sum of liquidate penalty in case of failure, and the interest of the said principal sum at the rate of five pounds per centum per annum during the not payment thereof: And we consent to the registration hereof in the books of council and session or others competent therein to remain for preservation, and, if necessary, that letters of horning on six days charge, and all other legal execution may pass upon a decree to be interponed hereto in form as effeirs, and for that purpose we constitute
our procurators, &c.
In witness whereof.

CHAP. 88.

An Act to extend the Telegraph Acts of 1868, 1869, to the Channel Islands and the Isle of Man.

[9th August 1870.]

WHEREAS it is expedient for the interests of the public that the provisions of the Telegraph Acts, 1868, 1869, should be extended to the Channel Islands, and the Isle of Man, and that the said Acts should be otherwise amended:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title of Act.

1. This Act may be cited as "The Telegraph Act, 1870," and this Act and the "Telegraph Acts, 1868, 1869," may be cited together as "The Telegraph Acts, 1868 to 1870."

Incorporation of provisions of Telegraph Acts, 1868, 1869.

2. The provisions of the Telegraph Acts, 1868, 1869, save so far as they are expressly repealed or varied by or inconsistent with the provisions of this Act, shall be incorporated and construed as one with this Act.

Extension of those Acts to Channel Islands and Isle of Man.

3. The Telegraph Acts, 1868, 1869, shall extend to and be in force in the Islands of Jersey, Guernsey, Sark, Alderney, and Man, and the islands and islets adjacent thereto respectively, and for all the purposes of the said Acts and each of

them the said islands and islets shall respectively be deemed to be part of the United Kingdom of Great Britain and Ireland.

Power to purchase the undertaking of the Jersey and Guernsey Telegraph Company, Limited.

4. The Postmaster General shall purchase the undertaking of the Jersey and Guernsey Telegraph Company, Limited, upon terms to be settled (failing agreement) by arbitration, in manner provided by the Lands Clauses Consolidation Act, 1845, and the said company shall sell and convey the said undertaking accordingly; and the said Postmaster General shall be let into the possession of the said undertaking immediately upon the passing of this Act, and he shall pay the purchase money or compensation for the same within one month after the amount thereof shall have been ascertained, with interest at the rate of four pounds per centum per annum from the date of his taking possession until the time of payment.

Confirmation of agreement with the Isle of Man Electric Telegraph Company.

5. The agreement referred to in the schedule to this Act is hereby confirmed, and the Postmaster General shall purchase, and the Isle of Man Electric Telegraph Company shall sell and convey, the undertaking of the same company upon the terms of the said agreement; and the Postmaster General shall be let into the possession of the said undertaking immediately upon the passing of this Act, and shall pay interest at four pounds per centum per annum on the purchase money from the same date until the time of payment.

Postmaster General may purchase undertakings of companies for transmitting telegrams to Channel Islands.

6. Upon the request in writing of any telegraph company existing on the fifth day of February one thousand eight hundred and seventy, and engaged in transmitting telegrams between Great Britain or Ireland and the sa idislands or any of them, or between any one of the said islands and any other of them, or within any one of the said islands, or for all or any of such objects, the Postmaster General shall purchase the whole or any part of the undertaking of such company, provided such request be made within twelve months after the passing of this Act; and the Postmaster General shall accordingly, within one month after the receipt by him of any such request, give notice in writing of his intention to make such purchase, and it shall be lawful for such telegraph company and they are hereby required to sell, convey, and assure their undertaking accordingly, and to give valid discharges for the purchase money.

Reservation as to the undertaking of the Submarine Telegraph Company.

7. Provided always, that nothing in this Act shall authorise or require the Postmaster General to purchase the undertakings of the Submarine Telegraph Company between Great Britain and the continent of Europe, and the Submarine Telegraph Company between France and England (Société Carmichael et Co.) or either of them or any part thereof respectively.

Amendment of section 6 of the Act of 1868.

8. Whereas doubts have been suggested as to the effect of the sixth section of the Telegraph Act, 1868, it is hereby declared that, notwithstanding anything therein contained, any

company whose undertaking shall be purchased by the Postmaster General under or by virtue of this Act, and any company whose undertaking has been or shall be purchased by the Postmaster General under or by virtue of the Telegraph Acts, 1868, 1869, or either of them, may sue or be sued for any debts owing to or by or for any damages recoverable by or from such company, or for the purpose of enforcing any rights and remedies of or against such company, which shall have accrued before the date of the transfer to the Postmaster General of the undertaking of such company.

Saving agreements scheduled in the Act of 1868.

9. Nothing in this Act contained shall in anywise prejudice or affect any of the agreements referred to in the schedule to the Telegraph Act, 1868, and thereby confirmed.

SCHEDULE to which the foregoing Act refers.

Mortgage and agreement for sale to or in trust for Her Majesty under the seal of the Isle of Man Electric Telegraph Company, dated the thirtieth day of October one thousand eight hundred and sixty-eight.

CHAP. 89.

An Act to enable the Governors of Queen Anne's Bounty to provide Superannuation Allowances for their Officers. [9th August 1870.]

WHEREAS it is expedient that due regulations should be made with regard to the granting of superannuation allowances to the officers and clerks employed by the Governors of the Bounty of Queen Anne:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to governors out of their general fund to grant retired allowances.

1. Subject to the exceptions and provisions herein-after contained, the said governors may pay out of their general fund allowances on retirement from the office to officers and clerks who shall have served in an established capacity in the permanent service of the governors, not exceeding the following; viz.

To any officer or clerk who shall have served for ten years and upwards and under eleven years, an annual allowance of ten sixtieths of the annual salary and emoluments of his office:

For eleven years and under twelve years an annual allowance of eleven sixtieths of such salary and emoluments, and in like manner an additional annual allowance of one sixtieth in respect of each additional year of such service until the completion of a period of service of forty years, when the annual allowance of forty sixtieths may be granted, and no addition shall be made in respect of any service beyond forty years.

Power to grant gratuities in certain cases where officers or clerks not entitled by length of service to superannuation.

2. The said governors may grant to any officer or clerk in their service who, being the holder of an office in respect of which a superannuation allowance may be granted, but not having completed the period which would have entitled him to a superannuation allowance, is constrained from infirmity of mind or body to leave the service of the governors before the completion of the period which would entitle him to a superannuation allowance, such sum of money by way of gratuity as the said governors shall think proper, but so that no gratuity shall exceed the amount of one month's pay for each year's service.

No superannuation to be granted unless approved by Treasury.

3. No superannuation allowance or gratuity under this Act shall be granted to any officer or clerk until the application, with the certificate and the award of the said governors, shall have been submitted to and approved of by the Commissioners of Her Majesty's Treasury: Provided also, that if any question shall arise as to the claim of any officer or clerk for superannuation under this Act it shall be referred to the Commissioners of the Treasury, whose decision shall be final.

Restrictions as to grant of full superannuation allowance.

4. It shall not be lawful to grant or sanction the full amount of superannuation allowance which can be granted under this Act to any officer or clerk unless upon production of a certificate from the governors that such officer or clerk has served with diligence and fidelity to the satisfaction of the said governors; provided that the said governors may grant to any officer or clerk any such allowance of less amount than otherwise would have been awarded to him where his defaults or demerit may appear to them and the Commissioners of the Treasury to justify such diminution.

Superannuation not to be granted to officers or clerks under 60, except upon medical certificate.

5. It shall not be lawful to grant any superannuation allowance under the provisions of this Act to any officer or clerk who shall be under sixty years of age, unless upon a medical certificate to the satisfaction of the said governors and the Commissioners of the Treasury that he is incapable from infirmity of mind or body to discharge the duties of his situation, and that such infirmity is likely to be permanent.

Superannuation not to be granted on advanced amount of salary received for less than three years.

6. Provided always, and be it further enacted, that the superannuation allowance to be granted to any officer or clerk after the passing of this Act shall not be computed upon the amount of the salary enjoyed by him at the time of his retirement, unless he shall have been in the receipt of the same, or in the class from which he retires, for a period of at least three years immediately before the granting of such superannuation allowance; and in case he shall not have enjoyed his then existing salary or have been in such class for that period, such superannuation allowance shall be calculated upon the average amount of salary received by such officer or clerk for three years next preceding the commencement of such allowance.

Superannuations to be inserted in annual return.

7. A return of all superannuation allowances and gratuities made during the year under this Act, setting forth in each case the length of service, the salary, and the allowance or

gratuity awarded, together with the special grounds, if any, on which such allowances have been awarded, shall be inserted by the governors each year in their annual return to Her Majesty in Council, and laid before both Houses of Parliament.

Act not to confer right to superannuation or employment.

8. This Act shall be held only to authorise and enable the governors from time to time, if they think fit, to grant allowances and gratuities of such amount as is authorised by this Act; and nothing in this Act shall be held to confer on any officer or clerk any right to superannuation, or any greater right to permanent employment, than he would have enjoyed if this Act had not passed.

Officers appointed under this Act to be subject to regulations hereafter made by Parliament.

9. Every person who shall be appointed after the passing of this Act to any office or employment under the governors shall hold the same subject to all regulations and alterations affecting the same which may hereafter be made by authority of Parliament; nor shall any person by his appointment to any such office acquire any claim or title to compensation in case the same be hereafter altered or abolished by Act of Parliament.

CHAP. 90.

An Act to regulate the conduct of Her Majesty's Subjects during the existence of hostilities between foreign states with which Her Majesty is at peace.

[9th August 1870.]

WHEREAS it is expedient to make provision for the regulation of the conduct of Her Majesty's subjects during the existence of hostilities between foreign states with which Her Majesty is at peace:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title of Act.

1. This Act may be cited for all purposes as "The Foreign Enlistment Act, 1870."

Application of Act.

2. This Act shall extend to all the dominions of Her Majesty, including the adjacent territorial waters.

Commencement of Act.

3. This Act shall come into operation in the United Kingdom immediately on the passing thereof, and shall be proclaimed in every British possession by the governor thereof as soon as may be after he receives notice of this Act, and shall come into operation in that British possession on the day of such proclamation, and the time at which this Act comes into operation in any place is, as respects such place, in this Act referred to as the commencement of this Act.

Illegal Enlistment.

Penalty on enlistment in

4. If any person, without the license of Her Majesty, being a British subject, within or without Her Majesty's dominions,

accepts or agrees to accept any commission or engagement in the military or naval service of any foreign state at war with any foreign state at peace with Her Majesty, and in this Act referred to as a friendly state, or whether a British subject or not within Her Majesty's dominions, induces any other person to accept or agree to accept any commission or engagement in the military or naval service of any such foreign state as aforesaid,— service of foreign state.

He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

5. If any person, without the license of Her Majesty, being a British subject, quits or goes on board any ship with a view of quitting Her Majesty's dominions, with intent to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state, or, whether a British subject or not, within Her Majesty's dominions, induces any other person to quit or to go on board any ship with a view of quitting Her Majesty's dominions with the like intent,— Penalty on leaving Her Majesty's dominions with intent to serve a foreign state.

He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

6. If any person induces any other person to quit Her Majesty's dominions or to embark on any ship within Her Majesty's dominions under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state,— Penalty on embarking persons under false representations as to service.

He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

7. If the master or owner of any ship, without the license of Her Majesty, knowingly either takes on board, or engages to take on board, or has on board such ship within Her Majesty's dominions, any of the following persons, in this Act referred to as illegally enlisted persons; that is to say, Penalty on taking illegally enlisted persons on board ship.

(1.) Any person who, being a British subject within or without the dominions of Her Majesty, has, without the license of Her Majesty, accepted or agreed to accept any commission or engagement in the military or naval service of any foreign state at war with any friendly state;

(2.) Any person, being a British subject, who, without the license of Her Majesty, is about to quit Her Majesty's dominions with intent to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state;

(3.) Any person who has been induced to embark under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state;

Such master or owner shall be guilty of an offence against this Act, and the following consequences shall ensue; that is to say,

(1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour; and

(2.) Such ship shall be detained until the trial and conviction or acquittal of the master or owner, and until all penalties inflicted on the master or owner have been paid, or the master or owner has given security for the payment of such penalties to the satisfaction of two justices of the peace, or other magistrate or magistrates having the authority of two justices of the peace; and

(3.) All illegally enlisted persons shall immediately on the discovery of the offence be taken on shore, and shall not be allowed to return to the ship.

Illegal Shipbuilding and Illegal Expeditions.

Penalty on illegal shipbuilding and illegal expeditions.

8. If any person within Her Majesty's dominions, without the license of Her Majesty, does any of the following acts; that is to say,

(1.) Builds or agrees to build, or causes to be built any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state; or

(2.) Issues or delivers any commission for any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state; or

(3.) Equips any ship with intent or knowledge, or having a resonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state; or

(4.) Despatches, or causes or allows to be despatched, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state:

Such person shall be deemed to have committed an offence against this Act, and the following consequences shall ensue:

(1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour;

(2.) The ship in respect of which any such offence is committed, and her equipment, shall be forfeited to Her Majesty:

Provided that a person building, causing to be built, or equipping a ship in any of the cases aforesaid, in pursuance of a contract made before the commencement of such war as aforesaid, shall not be liable to any of the penalties imposed by this section in respect of such building or equipping if he satisfies the conditions following; (that is to say,)

(1.) If forthwith upon a proclamation of neutrality being issued by Her Majesty he gives notice to the Secretary of State that he is so building, causing to be built, or equipping such ship, and furnishes such particulars of the contract and of any matters relating to, or done, or to be done under the contract as may be required by the Secretary of State:

(2.) If he gives such security, and takes and permits to be taken such other measures, if any, as the Secretary of State may prescribe for ensuring that such ship shall not be despatched, delivered, or removed without the license of Her Majesty until the termination of such war as aforesaid.

Presumption as to evidence in case of illegal ship.

9. Where any ship is built by order of or on behalf of any foreign state when at war with a friendly state, or is delivered to or to the order of such foreign state, or any person who to the knowledge of the person building is an agent of such foreign state, or is paid for by such foreign state or such agent, and is employed in the military or naval service of such foreign state, such ship shall, until the contrary is proved, be deemed to have been built with a view to being so employed, and the burden shall lie on the builder of such ship of proving that he did not know that the ship was intended to be so employed in the military or naval service of such foreign state.

Penalty on aiding the warlike equipment of foreign ships.

10. If any person within the dominions of Her Majesty, and without the license of Her Majesty,—

By adding to the number of the guns, or by changing those on board for other guns, or by the addition of any equipment for war, increases or augments, or procures to be increased or augmented, or is knowingly concerned in increasing or

augmenting the warlike force of any ship which at the time of her being within the dominions of Her Majesty was a ship in the military or naval service of any foreign state at war with any friendly state,—

Such person shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

Penalty on fitting out naval or military expeditions without license.

11. If any person within the limits of Her Majesty's dominions, and without the license of Her Majesty,—

Prepares or fits out any naval or military expedition to proceed against the dominions of any friendly state, the following consequences shall ensue:

(1.) Every person engaged in such preparation or fitting out, or assisting therein, or employed in any capacity in such expedition, shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

(2.) All ships, and their equipments, and all arms and munitions of war, used in or forming part of such expedition, shall be forfeited to Her Majesty.

Punishment of accessories.

12. Any person who aids, abets, counsels, or procures the commission of any offence against this Act shall be liable to be tried and punished as a principal offender.

Limitation of term of imprisonment.

13. The term of imprisonment to be awarded in respect of any offence against this Act shall not exceed two years.

Illegal Prize.

Illegal prize brought into British ports restored.

14. If, during the continuance of any war in which Her Majesty may be neutral, any ship, goods, or merchandise captured as prize of war within the territorial jurisdiction of Her Majesty, in violation of the neutrality of this realm, or captured by any ship which may have been built, equipped, commissioned, or despatched, or the force of which may have been augmented, contrary to the provisions of this Act, are brought within the limits of Her Majesty's dominions by the captor, or any agent of the captor, or by any person having come into possession thereof with knowledge that the same was prize of war so captured as aforesaid, it shall be lawful for the original owner of such prize, or his agent, or for any person authorised in that behalf by the Government of the foreign state to which such owner belongs, to make application to the Court of Admiralty for seizure and detention of such prize, and the court shall, on due proof of the facts, order such prize to be restored.

Every such order shall be executed and carried into effect in the same manner, and subject to the same right of appeal,

as in case of any order made in the exercise of the ordinary jurisdiction of such court; and in the meantime and until a final order has been made on such application the court shall have power to make all such provisional and other orders as to the care or custody of such captured ship, goods, or merchandise, and (if the same be of perishable nature, or incurring risk of deterioration) for the sale thereof, and with respect to the deposit or investment of the proceeds of any such sale, as may be made by such court in the exercise of its ordinary jurisdiction.

General Provision.

License by Her Majesty how granted.

15. For the purposes of this Act, a license by Her Majesty shall be under the sign manual of Her Majesty, or be signified by Order in Council or by proclamation of Her Majesty.

Legal Procedure.

Jurisdiction in respect of offences by persons against Act.

16. Any offence against this Act shall, for all purposes of and incidental to the trial and punishment of any person guilty of any such offence, be deemed to have been committed either in the place in which the offence was wholly or partly committed, or in any place within Her Majesty's dominions in which the person who committed such offence may be.

Venue in respect of offences by persons. 24 & 25 Vict. c. 97.

17. Any offence against this Act may be described in any indictment or other document relating to such offence, in cases where the mode of trial requires such a description, as having been committed at the place where it was wholly or partly committed, or it may be averred generally to have been committed within Her Majesty's dominions, and the venue or local description in the margin may be that of the county, city, or place in which the trial is held.

Power to remove offenders for trial.

18. The following authorities, that is to say, in the United Kingdom any judge of a superior court, in any other place within the jurisdiction of any British court of justice, such court, or, if there are more courts than one, the court having the highest criminal jurisdiction in that place, may, by warrant or instrument in the nature of a warrant in this section included in the term "warrant," direct that any offender charged with an offence against this Act shall be removed to some other place in Her Majesty's dominions for trial in cases where it appears to the authority granting the warrant that the removal of such offender would be conducive to the interests of justice, and any prisoner so removed shall be triable at the place to which he is removed, in the same manner as if his offence had been committed at such place.

Any warrant for the purposes of this section may be addressed to the master of any ship or to any other person or persons, and the person or persons to whom such warrant is addressed shall have power to convey the prisoner therein named to any place or places named in such warrant, and to deliver him, when arrived at such place or places, into the custody of any authority designated by such warrant.

Every prisoner shall, during the time of his removal under any such warrant as aforesaid, be deemed to be in the legal custody of the person or persons empowered to remove him.

Jurisdiction in respect of forfeiture of ships for offences against Act.

19. All proceedings for the condemnation and forfeiture of a ship, or ship and equipment, or arms and munitions of war, in pursuance of this Act shall require the sanction of the Secretary of State or such chief executive authority as is in this Act mentioned, and shall be had in the Court of Admiralty, and not in any other court; and the Court of Admiralty shall, in addition to any power given to the court by this Act, have in respect of any ship or other matter brought before it in pursuance of this Act all powers which it has in the case of a ship or matter brought before it in the exercise of its ordinary jurisdiction.

Regulations as to proceedings against the offender and against the ship.

20. Where any offence against this Act has been committed by any person by reason whereof a ship, or ship and equipment, or arms and munitions of war, has or have become liable to forfeiture, proceedings may be instituted contemporaneously or not, as may be thought fit, against the offender in any court having jurisdiction of the offence, and against the ship, or ship and equipment, or arms and munitions of war, for the forfeiture in the Court of Admiralty; but it shall not be necessary to take proceedings against the offender because proceedings are instituted for the forfeiture, or to take proceedings for the forfeiture because proceedings are taken against the offender.

Officers authorised to seize offending ships.

21. The following officers, that is to say,

(1.) Any officer of customs in the United Kingdom, subject nevertheless to any special or general instructions from the Commissioners of Customs, or any officer of the Board of Trade, subject nevertheless to any special or general instructions from the Board of Trade;

(2.) Any officer of customs or public officer in any British possession, subject nevertheless to any special or general instructions from the governor of such possession;

(3.) Any commissioned officer on full pay in the military service of the Crown, subject nevertheless to any special or general instructions from his commanding officer;

(4.) Any commissioned officer on full pay in the naval service of the Crown, subject nevertheless to any special or general instructions from the Admiralty or his superior officer,

may seize or detain any ship liable to be seized or detained in pursuance of this Act, and such officers are in this Act referred to as the "local authority;" but nothing in this Act contained shall derogate from the power of the Court of Admiralty to direct any ship to be seized or detained by any officer by whom such court may have power under its ordinary jurisdiction to direct a ship to be seized or detained.

Powers of officers authorised to seize ships.

22. Any officer authorised to seize or detain any ship in respect of any offence against this Act may, for the purpose of enforcing such seizure or detention, call to his aid any constable or officers of police, or any officers of Her Majesty's army or navy or marines, or any excise officers or officers of customs, or any harbour-master or dock-master, or any officers having authority by law to make seizures of ships, and may put on board any ship so seized or detained any one or more of such officers to take charge of the same, and to enforce the provisions of this Act, and any officer seizing or detaining any ship under this Act may use force, if necessary, for the purpose of enforcing seizure or detention, and if any person is killed or maimed by reason of his resisting such officer in the execution of his duties, or any person acting under his orders, such officer so seizing or detaining the ship, or other person, shall be freely and fully indemnified as well against the Queen's Majesty, her heirs and successors, as against all persons so killed, maimed, or hurt.

Special power of Secretary of State or chief executive authority to detain ship.

23. If the Secretary of State or the chief executive authority is satisfied that there is a reasonable and probable cause for believing that a ship within Her Majesty's dominions has been or is being built, commissioned, or equipped contrary to this Act, and is about to be taken beyond the limits of such dominions, or that a ship is about to be despatched contrary to this Act, such Secretary of State or chief executive authority shall have power to issue a warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant the local authority shall have power to seize and search such ship, and to detain the same until it has been either condemned or released by process of law, or in manner herein-after mentioned.

The owner of the ship so detained, or his agent, may apply to the Court of Admiralty for its release, and the court shall as soon as possible put the matter of such seizure and detention in course of trial between the applicant and the Crown.

If the applicant establish to the satisfaction of the court that the ship was not and is not being built, commissioned, or equipped, or intended to be despatched contrary to this Act, the ship shall be released and restored.

If the applicant fail to establish to the satisfaction of the court that the ship was not and is not being built, commissioned, or equipped, or intended to be despatched contrary to this Act, then the ship shall be detained till released by order of the Secretary of State or chief executive authority.

The court may in cases where no proceedings are pending for its condemnation release any ship detained under this section on the owner giving security to the satisfaction of the court that the ship shall not be employed contrary to this Act, notwithstanding that the applicant may have failed to establish to the satisfaction of the court that the ship was not and is not being built, commissioned, or intended to be despatched

contrary to this Act. The Secretary of State or the chief executive authority may likewise release any ship detained under this section on the owner giving security to the satisfaction of such Secretary of State or chief executive authority that the ship shall not be employed contrary to this Act, or may release the ship without such security if the Secretary of State or chief executive authority think fit so to release the same.

If the court be of opinion that there was not reasonable and probable cause for the detention, and if no such cause appear in the course of the proceedings, the court shall have power to declare that the owner is to be indemnified by the payment of costs and damages in respect of the detention, the amount thereof to be assessed by the court, and any amount so assessed shall be payable by the Commissioners of the Treasury out of any moneys legally applicable for that purpose. The Court of Admiralty shall also have power to make a like order for the indemnity of the owner, on the application of such owner to the court, in a summary way, in cases where the ship is released by the order of the Secretary of State or the chief executive authority, before any application is made by the owner or his agent to the court for such release.

Nothing in this section contained shall affect any proceedings instituted or to be instituted for the condemnation of any ship detained under this section where such ship is liable to forfeiture, subject to this provision, that if such ship is restored in pursuance of this section all proceedings for such condemnation shall be stayed; and where the court declares that the owner is to be indemnified by the payment of costs and damages for the detainer, all costs, charges, and expenses incurred by such owner in or about any proceedings for the condemnation of such ship shall be added to the costs and damages payable to him in respect of the detention of the ship.

Nothing in this section contained shall apply to any foreign non-commissioned ship despatched from any part of Her Majesty's dominions after having come within them under stress of weather or in the course of a peaceful voyage, and upon which ship no fitting out or equipping of a warlike character has taken place in this country.

Special power of local authority to detain ship.

24. Where it is represented to any local authority, as defined by this Act, and such local authority believes the representation, that there is a reasonable and probable cause for believing that a ship within Her Majesty's dominions has been or is being built, commissioned, or equipped contrary to this Act, and is about to be taken beyond the limits of such dominions, or that a ship is about to be despatched contrary to this Act, it shall be the duty of such local authority to detain such ship, and forthwith to communicate the fact of such detention to the Secretary of State or chief executive authority.

Upon the receipt of such communication the Secretary of State or chief executive authority may order the ship to be released if he thinks there is no cause for detaining her, but if satisfied that there is reasonable and probable cause for believing that such ship was built, commissioned, or equipped or intended to be despatched in contravention of this Act, he shall issue his warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant being issued further proceedings shall be had as in cases where the seizure or detention has taken place on a warrant issued by the Secretary of State without any communication from the local authority.

Where the Secretary of State or chief executive authority orders the ship to be released on the receipt of a communication from the local authority without issuing his warrant, the owner of the ship shall be indemnified by the payment of costs and damages in respect of the detention upon application to the Court of Admiralty in a summary way in like manner as he is entitled to be indemnified where the Secretary of State having issued his warrant under this Act releases the ship before any application is made by the owner or his agent to the court for such release.

Power of Secretary of State or executive authority to grant search warrant.

25. The Secretary of State or the chief executive authority may, by warrant, empower any person to enter any dockyard or other place within Her Majesty's dominions and inquire as to the destination of any ship which may appear to him to be intended to be employed in the naval or military service of any foreign state at war with a friendly state, and to search such ship.

Exercise of powers of Secretary of State or chief executive authority.

26. Any powers or jurisdiction by this Act given to the Secretary of State may be exercised by him throughout the dominions of Her Majesty, and such powers and jurisdiction may also be exercised by any of the following officers, in this Act referred to as the chief executive authority, within their respective jurisdictions; that is to say,

(1.) In Ireland by the Lord Lieutenant or other the chief governor or governors of Ireland for the time being, or the chief secretary to the Lord Lieutenant:

(2.) In Jersey by the Lieutenant Governor:

(3.) In Guernsey, Alderney, and Sark, and the dependent islands by the Lieutenant Governor:

(4.) In the Isle of Man by the Lieutenant Governor:

(5.) In any British possession by the Governor.

A copy of any warrant issued by a Secretary of State or by any officer authorised in pursuance of this Act to issue such warrant in Ireland, the Channel Islands, or the Isle of Man shall be laid before Parliament.

Appeal from Court of Admiralty.

27. An appeal may be had from any decision of a Court of Admiralty under this Act to the same tribunal and in the same manner to and in which an appeal may be had in cases within the ordinary jurisdiction of the court as a Court of Admiralty.

Indemnity to officers.

28. Subject to the provisions of this Act providing for the award of damages in certain cases in respect of the seizure or detention of a ship by the Court of Admiralty no damages shall be payable, and no officer or local authority shall be responsible, either civilly or criminally, in respect of the seizure or detention of any ship in pursuance of this Act.

Indemnity to Secretary of State or chief executive authority.

29. The Secretary of State shall not, nor shall the chief executive authority, be responsible in any action or other legal proceedings whatsoever for any warrant issued by him in pursuance of this Act, or be examinable as a witness, except at his own request, in any court of justice in respect of the circumstances which led to the issue of the warrant.

Interpretation Clause.

Interpretation of terms.

30. In this Act, if not inconsistent with the context, the following terms have the meanings herein-after respectively assigned to them; that is to say,

"Foreign state:" "Foreign state" includes any foreign prince, colony, province, or part of any province or people, or any person or persons exercising or assuming to exercise the powers of government in or over any foreign country, colony, province, or part of any province or people:

"Military service:" "Military service" shall include military telegraphy and any other employment whatever, in or in connexion with any military operation:

"Naval service:" "Naval service" shall, as respects a person, include service as a marine, employment as a pilot in piloting or directing the course of a ship of war or other ship when such ship of war or other ship is being used in any military or naval operation, and any employment whatever on board a ship of war, transport, store ship, privateer or ship under letters of marque; and as respects a ship, include any user of a ship as a transport, store ship, privateer or ship under letters of marque:

"United Kingdom:" "United Kingdom" includes the Isle of Man, the Channel Islands, and other adjacent islands:

"British possession:" "British possession" means any territory, colony, or place being part of Her Majesty's dominions, and not part of the United Kingdom as defined by this Act:

"The Secretary of State:" "The Secretary of State" shall mean any one of Her Majesty's Principal Secretaries of State:

"Governor:" "The Governor" shall as respects India mean the Governor General or the governor of any presidency, and where a British possession consists of several constituent colonies, mean the Governor General of the whole possession or the Governor of any of the constituent colonies, and as respects any other British possession it shall mean the officer for the time being administering the government of such possession; also any person acting for or in the capacity of a governor shall be included under the term "Governor:"

"Court of Admiralty" shall mean the High Court of Admiralty of England or Ireland, the Court of Session of Scotland, or any Vice-Admiralty Court within Her Majesty's dominions: "Court of Admiralty:"

"Ship" shall include any description of boat, vessel, floating battery, or floating craft; also any description of boat, vessel, or other craft or battery, made to move either on the surface of or under water, or sometimes on the surface of and sometimes under water: "Ship:"

"Building" in relation to a ship shall include the doing any act towards or incidental to the construction of a ship, and all words having relation to building shall be construed accordingly: "Building:"

"Equipping" in relation to a ship shall include the furnishing a ship with any tackle, apparel, furniture, provisions, arms, munitions, or stores, or any other thing which is used in or about a ship for the purpose of fitting or adapting her for the sea or for naval service, and all words relating to equipping shall be construed accordingly: "Equipping:"

"Ship and equipment" shall include a ship and everything in or belonging to a ship: "Ship and equipment:"

"Master" shall include any person having the charge or command of a ship. "Master."

Repeal of Acts, and Saving Clauses.

31. From and after the commencement of this Act, an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, chapter sixty-nine, intituled "An Act "to prevent the enlisting or engagement of His Majesty's "subjects to serve in foreign service, and the fitting out or "equipping, in His Majesty's dominions, vessels for warlike "purposes, without His Majesty's license," shall be repealed: Provided that such repeal shall not affect any penalty, forfeiture, or other punishment incurred or to be incurred in respect of any offence committed before this Act comes into operation, nor the institution of any investigation or legal proceeding, or any other remedy for enforcing any such penalty, forfeiture, or punishment as aforesaid. Repeal of Foreign Enlistment Act. 59 G. 3. c. 69.

32. Nothing in this Act contained shall subject to forfeiture any commissioned ship of any foreign state, or give to any British court over or in respect of any ship entitled to recognition as a commissioned ship of any foreign state any jurisdiction which it would not have had if this Act had not passed. Saving as to commissioned foreign ships.

33. Nothing in this Act contained shall extend or be construed to extend to subject to any penalty any person who enters into the military service of any prince, state, or potentate in Asia, with such leave or license as is for the time being required by law in the case of subjects of Her Majesty entering into the military service of princes, states, or potentates in Asia. Penalties not to extend to persons entering into military service in Asia. 59 G. 3. c. 69. s. 12.

CHAP. 91.

An Act for the relief of persons admitted to the office of Priest or Deacon in the Church of England.

[9th August 1870.]

WHEREAS it is expedient that relief be given in respect of civil disabilities and in certain other respects to persons who have been admitted to the office of priest or of deacon in the Church of England:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as The Clerical Disabilities Act, 1870.

Interpretation.

2. In this Act—

The term "the Church of England" means the Church of England as by law established:

The term "minister" means a priest or a deacon:

The terms "preferment," "bishop," and "diocese" respectively have the same meaning as in the Act thirdly mentioned in the first schedule to this Act.

Execution and inrolment of deed of relinquishment.

3. Any person admitted (before or after the passing of this Act) to the office of minister in the Church of England may, after having resigned any and every preferment held by him, do the following things:—

(1.) He may execute a deed of relinquishment in the form given in the second schedule to this Act:

(2.) He may cause the same to be inrolled in the High Court of Chancery:

(3.) He may deliver an office copy of the inrolment to the bishop of the diocese in which he last held a preferment, or if he has not held any preferment then to the bishop of the diocese in which he is resident, in either case stating his place of residence:

(4.) He may give notice of his having so done to the archbishop of the province in which that diocese is situate.

Recording by bishop of deed of relinquishment and consequences thereof.

4. At the expiration of six months after an office copy of the inrolment of a deed of relinquishment has been so delivered to a bishop, he or his successor in office shall, on the application of the person executing the deed, cause the deed to be recorded in the registry of the diocese, and thereupon and thenceforth (but not sooner) the following consequences shall ensue with respect to the person executing the deed:—

(1.) He shall be incapable of officiating or acting in any manner as a minister of the Church of England, and of taking or holding any preferment therein, and shall cease to enjoy all rights, privileges, advantages, and exemptions attached to the office of minister in the Church of England:

(2.) Every licence, office, and place held by him for which it is by law an indispensable qualification that the holder thereof should be a minister of the Church of England shall be ipso facto determined and void:

(3.) He shall be by virtue of this Act discharged and free from all disabilities, disqualifications, restraints, and prohibitions to which, if this Act had not been passed, he would, by force of any of the enactments mentioned in the first schedule to this Act or of any other law, have been subject as a person who had been admitted to the office of minister in the Church of England, and from all jurisdiction, penalties, censures, and proceedings to which, if this Act had not been passed, he would or might, under any of the same enactments or any other law, have been amenable or liable in consequence of his having been so admitted and of any act or thing done or omitted by him after such admission.

Provision for pending proceedings before recording in registry.

5. Provided, that if within the aforesaid period of six months the bishop to whom an office copy of the inrolment of a deed of relinquishment is delivered, or his successor in office, has notice of proceedings pending against the person executing the deed as a person who had been admitted to the office of minister in the Church of England, the bishop shall, on the application of that person, cause the deed to be recorded in the registry of the diocese on the termination of those proceedings by a definitive sentence, or interlocutory decree having the force and effect of a definitive sentence, and execution thereof, but not sooner.

Service at place of residence stated.

6. For the purposes of any proceedings instituted within the aforesaid period of six months against a person executing a deed of relinquishment under this Act, the service of any citation, notice, or other document at the place stated by him in pursuance of this Act as his place of residence shall be good service.

Copy of record to be evidence.

7. A copy of the record in the registry of a diocese of a deed of relinquishment under this Act, duly extracted and certified by the registrar of the bishop, shall be evidence of the due execution, inrolment, and recording of the deed, and of the fulfilment of all the requirements of this Act in relation thereto.

The registrar of the bishop shall, on the application of the person executing the deed, give to him a copy of the record thereof duly extracted and certified, on payment of a fee not exceeding ten shillings for the recording and copy thereof.

Saving for pecuniary liabilities.

8. Nothing in this Act shall relieve any person or his estate from any liability in respect of dilapidations or from any debt or other pecuniary liability incurred or accrued before or after his execution of a deed of relinquishment under this Act, and the same may be enforced and recovered as if this Act had not been passed.

SCHEDULES.

THE FIRST SCHEDULE.

Enactments referred to.

41 Geo. 3. c. 63. (1.) The Act of the session of the forty-first year of the reign of King George the Third (chapter sixty-three) "to remove doubts "respecting the eligibility of persons in holy orders to sit in the "House of Commons" as far as it relates to persons ordained to the office of priest or of deacon before their election to serve in Parliament.

5 & 6 Will. 4. c. 76. s. 28. (2.) Section twenty-eight of the Act of the session of the fifth and sixth years of the reign of King William the Fourth (chapter seventy-six) "to provide for the regulation of municipal corporations in "England and Wales."

3 & 4 Vict. c. 86. (3.) The Act of the session of the third and fourth years of Her Majesty's reign (chapter eighty-six) "for better enforcing "church discipline."

THE SECOND SCHEDULE.

Form of Deed of Relinquishment.

Know all men by these presents, that I *A.B.* of having been admitted to the office of priest [*or* deacon, *as the case may be*] in the Church of England, [and having resigned *here to be inserted description of late preferment, if any,*] do hereby, in pursuance of The Clerical Disabilities Act, 1870, declare that I relinquish all rights, privileges, advantages, and exemptions of the office as by law belonging to it. In witness whereof I have hereunto set my hand and seal this day of 18 .

(Signed) *A.B.* (L.S.)

Executed by *A.B.* in presence of
C.D. of
[*address and description of witness*].

CHAP. 92.

An Act to amend the laws for the Election of the Magistrates and Councillors of Royal and Parliamentary Burghs in Scotland. [9th August 1870.]

WHEREAS it is expedient to amend the laws relating to the election of the magistrates and councillors of Royal and Parliamentary Burghs in Scotland:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. **1.** This Act may be cited for all purposes as The Municipal Elections Amendment (Scotland) Act, 1870.

Interpretation of terms. **2.** The following expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction; that is to say,

"Burgh" shall mean any Royal or Parliamentary Burgh in Scotland:

"Election Acts" shall mean the Acts third and fourth William the Fourth, chapters seventy-six and seventy-seven, and thirty-first and thirty-second Victoria, chapter one hundred and eight, and any other Acts relating to the election of magistrates and councillors of Royal and Parliamentary Burghs in Scotland which may be in force for the time:

"Registration Acts" shall mean the Act nineteenth and twentieth Victoria, chapter fifty-eight, as amended by the Act thirty-first and thirty-second Victoria, chapter forty-eight, and any other Act relating to the registration of persons entitled to vote in the election of members to serve in Parliament for burghs in Scotland which may be in force for the time:

"The assessor" shall mean the assessor of the burgh in and for which he is assessor, appointed and acting under the Acts for the valuation of lands and heritages in Scotland, or any of them.

Election of councillors where number of persons proposed does not exceed vacancies to be supplied.

3. Where at any election of town councillors in any burgh the number of persons whose names have been intimated to the town clerk, under the provisions of the Act thirty-first and thirty-second Victoria, chapter one hundred and eight, as persons proposed for election in such burgh, or any ward of such burgh if divided into wards, does not exceed the vacancies to be supplied in such burgh or ward, as the case may be, the town clerk shall, in the public notice to be given by him, as provided by the said Act, of the names of the persons so intimated to him, notify that in respect the number of persons proposed for election does not exceed the number of vacancies to be supplied in the burgh or ward, as the case may be, there will be no poll, and that the persons so proposed will be declared to be elected as councillors of the burgh; and such notification may be made by an addition in the terms set forth in the schedule to this Act, or in similar terms, to the notice required by the said Act; and on the day appointed for declaring the election the persons so proposed shall be declared to be duly elected as councillors of the burgh, in the same manner as if they had been elected as councillors under the provisions of the Election Acts, and shall be deemed to be duly elected accordingly; and every such election of councillors under the provisions of this Act shall be in all respects valid, and notice thereof shall be given to the persons elected in the same manner and to the same effect as is provided by the Election Acts.

Election of Commissioners or trustees along with town councillors.

4. Where by any Act of Parliament it is provided that any commissioners or trustees under such Act are to be elected by the municipal electors, or at the same time or along with the town councillors of any burgh, the provisions of the Election Acts shall be applicable to every such election of commissioners or trustees; and where at any such election the number of persons proposed for election as commissioners or trustees does not exceed the number of vacancies to be supplied, the

town clerk or other person conducting such election shall notify that there will be no poll; and such election shall be proceeded with and declared in the same manner as is hereinbefore provided with respect to the election of town councillors,

Order of retirement of councillors to be determined by the Council.

5. Where in any burgh or ward two or more councillors have been elected on the same day under the provisions of this Act, or have been elected by an equality of votes under the provisions of the Election Acts, the majority of the town council (including the councillors so elected) shall determine the order in which the councillors so elected shall retire from the town council.

Preparation of municipal registers in burghs which do not return members to Parliament.

6. In every royal burgh not now entitled to return or contribute to return a member to Parliament, the assessor shall, on or before the fifteenth day of September in the year one thousand eight hundred and seventy-one, and in every year thereafter, make out or cause to be made out a list of all persons who may be entitled to vote in the election of councillors for such burgh, under the provisions of the Act thirty-first and thirty-second Victoria, chapter one hundred and eight, according to the form No. 1 of the schedule A. to the Act nineteenth and twentieth Victoria, chapter fifty-eight; and the same procedure shall be followed with respect to the preparation and publication of every such list, and the completion and revision of the register of voters for such burgh, as is provided by the Act nineteenth and twentieth Victoria, chapter fifty-eight, as amended by the Act thirty-first and thirty-second Victoria, chapter forty-eight, with respect to the lists and registers of voters to be made out and completed under the provisions and for the purposes of those Acts; and the lists of voters for any burgh made up, completed, and revised under the provisions of the said Acts and this Act shall be signed by the town clerk, and shall be the register of persons entitled to vote in such burgh at any election of town councillors which shall take place in and for such burgh between the thirty-first day of October in the year in which such register shall have been made up and the first day of November in the succeeding year; and the said register shall be printed, and copies thereof shall be kept by the town clerk and delivered to persons applying therefor, in the same manner and on the same terms as is provided by the Act nineteenth and twentieth Victoria, chapter fifty-eight.

Cost of municipal registers.

7. The whole costs and expenses of making up, completing, revising, and printing the register of voters in any such burgh, or incident thereto, shall be ascertained and fixed, and the amount thereof shall be assessed, levied, and collected, in the same manner as the costs and expenses attending the annual registration under the Act nineteenth and twentieth Victoria, chapter fifty-eight, are by the said Act appointed to be ascertained, fixed, assessed, levied, and collected; and the provisions of the said Act shall be applicable to the costs and expenses of registration under this Act.

Municipal elections in burghs divided into wards under 31 & 32 Vict. c. 108.

8. Where any burgh has been or shall be divided into wards under the provisions of the Act thirty-first and thirty-second Victoria, chapter one hundred and eight, the town councillors of such burgh shall be elected in the same manner as town councillors are elected in burghs divided into wards or districts under the provisions of the Acts third and fourth William the Fourth, chapters seventy-six and seventy-seven, and the provisions of these Acts respectively with reference to the election of councillors shall be and are hereby made applicable to elections of councillors in burghs which have been or shall be divided into wards under the provisions of the said Act thirty-first and thirty-second Victoria, chapter one hundred and eight.

Expense of municipal elections may be defrayed out of assessments for registration.

9. The town council of any burgh may from time to time resolve that the costs and expenses of and incident to the election of the town councillors of such burgh, or of any trustees, commissioners, or other persons who are appointed or have been in use to be elected along with such town councillors, shall be defrayed out of the assessments imposed or levied in such burgh under the provisions and for the purposes of the Registration Acts; and after such resolution shall have been adopted, the costs and expenses of and incident to such elections, as ascertained and fixed by the town council shall be added to the costs and expenses attending the annual registration in such burgh, and shall be included in the assessment to be imposed and levied under the provisions and for the purposes of the Registration Acts.

SCHEDULE.

And I further give notice, in terms of The Municipal Elections Amendment (Scotland) Act, 1870, that in respect the number of persons proposed for election as councillors in the burgh [*or* in the ward (*or* wards) *or* commissioners *or* trustees, *as the case may be*,] does not exceed the number of vacancies to be supplied in the burgh [*or* ward] there will be no poll, and the persons so proposed will on the day appointed for declaring the election be declared to be elected councillors of the burgh [*or* commissioners *or* trustees, *as the case may be*].

CHAP. 93.

An Act to amend the Law relating to the Property of Married Women. [9th August 1870.]

WHEREAS it is desirable to amend the law of property and contract with respect to married women:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Earnings of married women to be deemed their own property.

1. The wages and earnings of any married woman acquired or gained by her after the passing of this Act in any employment, occupation, or trade in which she is engaged or which she carries on separately from her husband, and also any

money or property so acquired by her through the exercise of any literary, artistic, or scientific skill, and all investments of such wages, earnings, money, or property, shall be deemed and taken to be property held and settled to her separate use, independent of any husband to whom she may be married, and her receipts alone shall be a good discharge for such wages, earnings, money, and property.

Deposits in savings banks by a married woman to be deemed her separate property.

2. Notwithstanding any provision to the contrary in the Act of the tenth year of George the Fourth, chapter twenty-four, enabling the Commissioners for the Reduction of the National Debt to grant life annuities and annuities for terms of years, or in the Acts relating to savings banks and post office savings banks, any deposit hereafter made and any annuity granted by the said Commissioners under any of the said Acts in the name of a married woman, or in the name of a woman who may marry after such deposit or grant, shall be deemed to be the separate property of such woman, and the same shall be accounted for and paid to her as if she were an unmarried woman; provided that if any such deposit is made by, or such annuity granted to, a married woman by means of moneys of her husband without his consent, the Court may, upon an application under section nine of this Act, order such deposit or annuity or any part thereof to be paid to the husband.

Proviso.

As to a married woman's property in the funds.

3. Any married woman, or any woman about to be married, may apply to the Governor and Company of the Bank of England, or to the Governor and Company of the Bank of Ireland, by a form to be provided by the governor of each of the said banks and company for that purpose, that any sum forming part of the public stocks and funds, and not being less than twenty pounds, to which the woman so applying is entitled, or which she is about to acquire, may be transferred to or made to stand in the books of the governor and company to whom such application is made in the name or intended name of the woman as a married woman entitled to her separate use, and on such sum being entered in the books of the said governor and company accordingly the same shall be deemed to be the separate property of such woman, and shall be transferred and the dividends paid as if she were an unmarried woman; provided that if any such investment in the funds is made by a married woman by means of moneys of her husband without his consent, the Court may, upon an application under section nine of this Act, order such investment and the dividends thereof, or any part thereof, to be transferred and paid to the husband.

As to a married woman's property in a joint stock company.

4. Any married woman, or any woman about to be married, may apply in writing to the directors or managers of any incorporated or joint stock company that any fully paid up shares, or any debenture or debenture stock, or any stock of such company, to the holding of which no liability is attached, and to which the woman so applying is entitled, may be regis-

tered in the books of the said company in the name or intended name of the woman as a married woman entitled to her separate use, and it shall be the duty of such directors or managers to register such shares or stock accordingly, and the same upon being so registered shall be deemed to be the separate property of such woman, and shall be transferred and the dividends and profits paid as if she were an unmarried woman; provided that if any such investment as last mentioned is made by a married woman by means of moneys of her husband without his consent, the Court may, upon an application under section nine of this Act, order such investment and the dividends and profits thereon, or any part thereof, to be transferred and paid to the husband.

As to a married woman's property in a society.

5. Any married woman, or any woman about to be married, may apply in writing to the committee of management of any industrial and provident society, or to the trustees of any friendly society, benefit building society, or loan society, duly registered, certified, or enrolled under the Acts relating to such societies respectively, that any share, benefit, debenture, right, or claim whatsoever in, to, or upon the funds of such society, to the holding of which share, benefit, or debenture no liability is attached, and to which the woman so applying is entitled, may be entered in the books of the society in the name or intended name of the woman as a married woman entitled to her separate use, and it shall be the duty of such committee or trustees to cause the same to be so entered, and thereupon such share, benefit, debenture, right, or claim shall be deemed to be the separate property of such woman, and shall be transferable and payable with all dividends and profits thereon as if she were an unmarried woman; provided that if any such share, benefit, debenture, right, or claim has been obtained by a married woman by means of moneys of her husband without his consent, the Court may, upon an application under section nine of this Act, order the same and the dividends and profits thereon, or any part thereof, to be transferred and paid to the husband.

Deposit of moneys in fraud of creditors invalid.

6. Nothing herein-before contained in reference to moneys deposited in or annuities granted by savings banks or moneys invested in the funds or in shares or stock of any company shall as against creditors of the husband give validity to any deposit or investment of moneys of the husband made in fraud of such creditors, and any moneys so deposited or invested may be followed as if this Act had not passed.

Personal property not exceeding 200*l.* coming to a married woman to be her own.

7. Where any woman married after the passing of this Act shall during her marriage become entitled to any personal property as next of kin or one of the next of kin of an intestate, or to any sum of money not exceeding two hundred pounds under any deed or will, such property shall, subject and without prejudice to the trusts of any settlement affecting the same, belong to the woman for her separate use, and her receipts alone shall be a good discharge for the same.

Freehold property coming to a married woman, rents and profits only to be her own.

8. Where any freehold, copyhold, or customaryhold property shall descend upon any woman married after the passing of this Act as heiress or co-heiress of an intestate, the rents and profits of such property shall, subject and without prejudice to the trusts of any settlement affecting the same, belong to such woman for her separate use, and her receipts alone shall be a good discharge for the same.

How questions as to ownership of property to be settled.

9. In any question between husband and wife as to property declared by this Act to be the separate property of the wife, either party may apply by summons or motion in a summary way either to the Court of Chancery in England or Ireland according as such property is in England or Ireland, or in England (irrespective of the value of the property) the judge of the County Court of the district in which either party resides, and thereupon the judge may make such order, direct such inquiry, and award such costs as he shall think fit; provided that any order made by such judge shall be subject to appeal in the same manner as the order of the same judge made in a pending suit or on an equitable plaint would have been, and the judge may, if either party so require, hear the application in his private room.

Married woman may effect policy of insurance.

10. A married woman may effect a policy of insurance upon her own life or the life of her husband for her separate use, and the same and all benefit thereof, if expressed on the face of it to be so effected, shall enure accordingly, and the contract in such policy shall be as valid as if made with an unmarried woman.

As to insurance of a husband for benefit of his wife.

A policy of insurance effected by any married man on his own life, and expressed upon the face of it to be for the benefit of his wife or of his wife and children, or any of them, shall enure and be deemed a trust for the benefit of his wife for her separate use, and of his children, or any of them, according to the interest so expressed, and shall not, so long as any object of the trust remains, be subject to the control of the husband or to his creditors, or form part of his estate. When the sum secured by the policy becomes payable, or at any time previously, a trustee thereof may be appointed by the Court of Chancery in England or in Ireland according as the policy of insurance was effected in England or in Ireland, or in England by the judge of the County Court of the district, or in Ireland by the chairman of the Civil Bill Court of the division of the county, in which the insurance office is situated, and the receipt of such trustee shall be a good discharge to the office. If it shall be proved that the policy was effected and premiums paid by the husband with intent to defraud his creditors, they shall be entitled to receive out of the sum secured an amount equal to the premiums so paid.

Married women may maintain an action.

11. A married woman may maintain an action in her own name for the recovery of any wages, earnings, money, and property by this Act declared to be her separate property,

or of any property belonging to her before marriage, and which her husband shall, by writing under his hand, have agreed with her shall belong to her after marriage as her separate property, and she shall have in her own name the same remedies, both civil and criminal, against all persons whomsoever for the protection and security of such wages, earnings, money, and property, and of any chattels or other property purchased or obtained by means thereof for her own use, as if such wages, earnings, money, chattels, and property belonged to her as an unmarried woman; and in any indictment or other proceeding it shall be sufficient to allege such wages, earnings, money, chattels, and property to be her property.

Husband not to be liable on his wife's contracts before marriage.

12. A husband shall not, by reason of any marriage which shall take place after this Act has come into operation, be liable for the debts of his wife contracted before marriage, but the wife shall be liable to be sued for, and any property belonging to her for her separate use shall be liable to satisfy, such debts as if she had continued unmarried.

Married woman to be liable to the parish for the maintenance of her husband.

13. Where in England the husband of any woman having separate property becomes chargeable to any union or parish, the justices having jurisdiction in such union or parish may, in petty sessions assembled, upon application of the guardians of the poor, issue a summons against the wife, and make and enforce such order against her for the maintenance of her husband as by the thirty-third section of "The Poor Law Amendment Act, 1868," they may now make and enforce against a husband for the maintenance of his wife who becomes chargeable to any union or parish. Where in Ireland relief is given under the provisions of the Acts relating to the relief of the destitute poor to the husband of any woman having separate property, the cost price of such relief is hereby declared to be a loan from the guardians of the union in which the same shall be given, and shall be recoverable from such woman as if she were a feme sole by such and the same actions and proceedings as money lent.

Married woman to be liable to the parish for the maintenance of her children.

14. A married woman having separate property shall be subject to all such liability for the maintenance of her children as a widow is now by law subject to for the maintenance of her children: Provided always, that nothing in this Act shall relieve her husband from any liability at present imposed upon him by law to maintain her children.

Commencement of Act.

15. This Act shall come into operation at the time of the passing of this Act.

Extent of Act.

16. This Act shall not extend to Scotland.

Short title.

17. This Act may be cited as the "Married Women's Property Act, 1870."

CHAP. 94.

An Act to provide for Superannuation Allowances to Medical Officers of Unions, Districts, and Parishes in England and Wales. [9th August 1870.]

WHEREAS it is expedient that provision should be made to enable superannuation allowances to be granted to medical officers of unions, districts, and parishes in England and Wales, who become disabled, either by infirmity or age, to discharge the duties of their offices:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to guardians, with consent of Poor Law Board, to grant superannuation allowance to medical officers in certain cases.

1. The board of guardians of any union or parish, and the board of management of any district, may, at their discretion, with the consent of the Poor Law Board, grant to any medical officer of such union, district, or parish an annual allowance, under and subject to the provisions of the Act to provide for superannuation allowances to officers of the unions, passed in the twenty-seventh and twenty-eighth year of the reign of Her Majesty, chapter forty-two, notwithstanding such medical officer shall not have devoted his entire time to the services of the union, district, or parish, and such allowance shall be paid out of the common fund of the union or district, or out of the poor rate of the parish, as the case may require, exclusively, and no contribution shall be made thereto out of any moneys voted by Parliament.

No allowance to be allowed without a certificate of inspector.

2. No allowance shall be obtained by any officer under this Act on the ground of permanent infirmity of mind or body unless a poor law inspector, or some person in that behalf authorised by the Poor Law Board, shall have first certified that in his opinion such officer has by reason of such infirmity become incapable of performing the duties of his office with efficiency.

Short title. Construction of Act.

3. This Act may be called "The Medical Officers Superannuation Act, 1870," and shall be construed in like manner as in the Poor Law Amendment Act, 1834, and the subsequent Acts extending or amending the same.

CHAP. 95.

An Act to authorise the carriage of Naval and Military Stores in Passenger Ships. [9th August 1870.]

18 & 19 Vict. c. 119. s. 29.

WHEREAS by section twenty-nine of the Passengers Act, 1855, it is enacted that "no passenger ship shall clear "out or proceed to sea if there shall be on board as cargo, "horses, cattle, gunpowder, vitriol, lucifer matches, guano, or

" green hides, nor if there shall be on board any other article " or number of articles, whether as cargo or ballast, which, by " reason of the nature or quantity or mode of stowage thereof, " shall, either singly or collectively, be deemed by the emi- " gration officer at the port of clearance likely to endanger the " health or lives of the passengers, or the safety of the ship: "

And whereas it is expedient that any of Her Majesty's Principal Secretaries of State should be empowered to authorise the carriage in passenger ships of naval and military stores whenever requisite for the public service:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as The Passengers Act Amendment Act, 1870.

Construction of Act.

2. This Act shall be construed as one with the Passengers Act, 1855, (in this Act referred to as the principal Act,) and the Passengers Act Amendment Act, 1863.

Authority by Secretary of State to carry naval and military stores in passenger ships.

3. Any one of Her Majesty's Principal Secretaries of State may, by order under his hand, authorise the carriage as cargo in any passenger ship, (subject to such conditions and directions as may be specified in the order) of naval and military stores for the public service, and such stores may, notwithstanding anything contained in the principal Act, be carried accordingly in such passenger ship.

Such order shall be addressed to the emigration officer or person performing the duties of emigration officer at the port of clearance, and shall be by him countersigned, and delivered to the master of the passenger ship to which it refers, and shall be delivered up by the master to the chief officer of Customs at the port where the stores are discharged.

The master shall comply with all the conditions and directions specified in the order, and non-compliance therewith shall be deemed non-compliance with the requirements of the said section twenty-nine of the principal Act.

CHAP. 96.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-one, and to appropriate the Supplies granted in this Session of Parliament. [10th August 1870.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the

supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grant out of Consolidated Fund.

Issue of 24,281,493*l.* out of the Consolidated Fund.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-one, the sum of twenty-four million two hundred and eighty-one thousand four hundred and ninety-three pounds.

Power for the Treasury to borrow.

2. The Commissioners of Her Majesty's Treasury may borrow from time to time on the credit of the said sum of twenty-four million two hundred and eighty-one thousand four hundred and ninety-three pounds, any sum or sums of equal or less amount in the whole, and shall repay the moneys so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said sums were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Appropriation of Grants.

Appropriation of sums voted for supply service.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to Her Majesty, amounting, as appears by the said Schedule, in the aggregate to the sum of forty-two million eight hundred and forty-five thousand six hundred and eighty-four pounds seven shillings and twopence, are appropriated and shall be deemed to have been appropriated as from the date of the passing of the first of the Acts mentioned in the said Schedule (A.) for the purposes and services expressed in Schedule (B.) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the army services respectively be not exceeded.

4. If a necessity arise for incurring expenditure not provided for in the sums appropriated to naval and military services by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course, each of the departments entrusted with the control over the said services shall forthwith make application in writing to the Commissioners of Her Majesty's Treasury for their authority to defray temporarily such expenditure out of any surpluses which may have been or which may be effected by the saving of expenditure upon votes within the same department, and in such application the department shall represent to the Commissioners of the Treasury the circumstances which may render such additional expenditure necessary, and thereupon the said Commissioners may authorise the expenditure unprovided for as aforesaid to be temporarily defrayed out of any surpluses which may have been or which may be effected as aforesaid upon votes within the same department; and a statement showing all cases in which the naval and military departments have obtained the sanction of the said Commissioners to any expenditure not provided for in the respective votes aforesaid, accompanied by copies of the representations made to them by the said departments, shall be laid before the House of Commons with the appropriation accounts of navy and army services for the year, in order that such proceedings may be submitted for the sanction of Parliament, and that provision may be made for the deficiencies upon the several votes for the said services in such manner as Parliament may determine.

The Commissioners of the Treasury shall not authorise any expenditure which may cause an excess upon the aggregate sums appropriated by this Act for naval services and for army services respectively.

Sanction for navy and army expenditure for 1868–9 unprovided for.

5. Whereas the Commissioners of the Treasury, under the powers vested in them by the Act of the session held in the thirty-first and thirty-second years of the reign of Her present Majesty, chapter eighty-five, have authorised expenditure not provided for in the sums appropriated to naval and military services by the said Act to be temporarily defrayed out of surpluses so far as such surpluses will extend which have arisen by the saving of expenditure upon votes within the same department for the year ended on the thirty-first day of March one thousand eight hundred and sixty-nine, as follows:

1st. One hundred and thirty-four thousand three hundred and fifty-seven pounds ten shillings and threepence for navy services unprovided for in the grants for navy services for the said year, temporarily defrayed to the extent of one hundred and thirty-four thousand three hundred and fifty-seven pounds ten shillings and threepence out of surpluses to the said last-mentioned amount,

which have arisen upon certain votes for navy services for the same year:

2d. Three hundred and thirty-four thousand six hundred and forty-seven pounds seven shillings and elevenpence for army services unprovided for in the grants for army services for the said year, temporarily defrayed to the extent of three hundred and one thousand nine hundred pounds three shillings and eightpence out of surpluses to the said last-mentioned amount, which have arisen upon certain votes for army services for the same year, and by the application of the sum of thirty-two thousand seven hundred and forty-seven pounds four shillings and threepence, being the sum which has been realised in excess of the estimated appropriations in aid, the said two sums making together the sum of three hundred and thirty-four thousand six hundred and forty-seven pounds seven shillings and elevenpence:

It is enacted that the application of the said sums to cover the said deficiencies is hereby sanctioned.

Permanent Regulations as to certain Payments.

Regulations as to half pay.

6. The following regulations shall be observed with respect to the application of any sum granted by this Act, or by any Act that may hereafter be passed for the half pay of officers of Her Majesty's forces; that is to say,

(1.) No person shall receive any half pay who,

(*a.*) Was under the age of sixteen years at the time when the regiment, troop, or company in which he served was reduced; or

(*b.*) Did not do actual service in some regiment, battalion, troop, or company in Her Majesty's service, except in cases in which the commission was received under circumstances which did not, according to the regulations of the Army, require the officer to serve; or

(*c.*) Has resigned his commission, and has had no commission since such resignation:

(2.) No part of any sum granted for half pay as aforesaid shall be allowed to any person by virtue of any warrant or appointment, except to such person as would have been otherwise entitled thereto as a reduced officer:

(3.) No person shall receive any part of any sum granted for half pay for any time during which he holds any other military employment of profit under Her Majesty or in Her Majesty's colonies or possessions

beyond the seas, except the holders of any staff or garrison appointments or appointments in the militia, yeomanry, volunteer, or other reserve forces of Her Majesty, who may, with Her Majesty's approbation, signified by one of Her Majesty's Principal Secretaries of State, receive the half pay to which they would respectively be entitled if they held no military employment of profit under Her Majesty:

(4.) No person shall receive any part of any sum granted for half pay for any time during which he holds any civil employment of profit under Her Majesty, or in Her Majesty's colonies or possessions beyond the seas, except as hereafter mentioned, that is to say:

(*a.*) Such persons as hold appointments in Her Majesty's household may receive the full amount of their half pay:

(*b.*) Where the annual emoluments of any civil employment of profit held by any person entitled to half pay do not exceed three times the amount of the highest rate of half pay attached to the rank, by virtue of which he claims to receive half pay, such person may, with Her Majesty's pleasure to that effect, signified by the Commissioners of Her Majesty's Treasury through one of the Principal Secretaries of State, receive the half pay to which he would be entitled if he held no such employment of profit:

(*c.*) Where the annual emoluments of any civil employment held by any person entitled to half pay exceed three times the amount of such highest rate of half pay as aforesaid, but fall short of four times such amount, the holder of such employment may, with Her Majesty's pleasure, signified in the manner aforesaid, receive so much half pay as, added to the emoluments of his civil employment, will together make up four times the amount of such half pay:

(*d.*) Where the Commissioners of Her Majesty's Treasury are of opinion that the employment of military officers in the colonies or elsewhere in civil situations of responsibility with small emoluments will be conducive to economy, and thereby beneficial to the public service; the said Commissioners may authorise the receipt of half pay by military officers notwithstanding their employment in a civil situation:

(5.) In every case the officer authorised to receive half pay with the salary or emolument of any military or

civil employment shall specify in his declaration by this Act required the other military or civil employment which he may hold:

(6.) An account shall be laid before Parliament in every year with the army estimates of the number of officers who are allowed to receive half pay with civil employment, specifying the names of such officers, with the respective amounts of their half pay, and their emoluments, and distinguishing in every such account the officers to whom such half pay has been allowed subsequent to the last account.

Declarations to be made in certain cases before receipt of sums appropriated.

7. No person shall receive any part of any grant which may be made in pursuance of this Act, or any Act hereafter to be passed, for half pay, or army, navy, or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by the Commissioners of the Treasury; provided that whenever payment on account of any of the above-named services is made at more frequent intervals than once in the quarter, it shall be lawful for the Commissioners of the Treasury to dispense with the production of more than one declaration in respect of each quarterly period; and such declaration may be made and subscribed before any of Her Majesty's justices of the peace, notary public, or resident minister in the United Kingdom of Great Britain and Ireland, or the colonies or dominions of Her Majesty; and when such declarations are taken abroad they may be made and subscribed before a British minister, secretary of embassy, secretary of legation, consul, or British chaplain, or before a notary public or some magistrate or other person competent to administer such declarations; and as regards naval services before the Lord High Admiral or a Lord Commissioner or Secretary of the Admiralty, or a superintendent of a dockyard, victualling, or medical establishment, or before an officer in command of one of Her Majesty's ships, or a chaplain serving on board one of Her Majesty's ships; and such declarations for army, navy, and civil services may also be made and subscribed before any other person now by law authorised to administer or receive such declarations, or before any of the persons appointed to examine vouchers in the office of the Paymaster General, in the manner, and under the pains, penalties, and forfeitures, specified in an Act passed in the session held in the fifth and sixth years of the reign of His late Majesty, chapter sixty-two, for the abolition of unnecessary oaths.

Short title of Act.

8. This Act may be cited for all purposes as "The Appropriation Act, 1870."

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - - -	42,845,684	7	2

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

	£	£	s.	d.
Part I. Deficiencies, 1868–69 and prior years - -		237,289	7	2
Part II. Supplementary, 1869–70 - - -		326,902	–	–
1870–71 :—				
Part III. Navy - - - - -		9,370,530	–	–
Part IV. Army - - - - - -		12,965,000	–	–
	£			
Part V. Civil Services, Class I. -	1,457,463			
Part VI. Ditto, Class II. -	1,707,742			
Part VII. Ditto, Class III. -	3,985,380			
Part VIII. Ditto, Class IV. -	1,689,870			
Part IX. Ditto, Class V. -	620,593			
Part X. Ditto, Class VI. -	513,767			
Part XI. Ditto, Class VII. -	88,982			
TOTAL CIVIL SERVICES -		10,063,797	–	–
Part XII. Revenue departments - - -		6,426,720	–	–
Part XIII. Vote of Credit—War in Europe - -		2,000,000	–	–
Part XIV. Exchequer Bonds - - -		1,300,000	–	–
Part XV. Miscellaneous - - - -		155,446	–	–
		42,845,684	7	2

SCHEDULE (A.)

SCHED. (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

	£	s.	d.	£	s.	d.
For the service of the years ending 31st March 1869 and 1870, and for preceding years;						
Under Act 33 Vict. cap. 5. s. 1. - - -				564,191	7	2
For the service of the year ending 31st March 1871; viz.:						
Under above Act, s. 2. -	9,000,000	0	0			
Under Act 33 Vict. cap. 31. -	9,000,000	0	0			
Under this Act - - -	24,281,493	0	0			
				42,281,493	0	0
TOTAL - -				£42,845,684	7	2

SCHED. (B.) PART 1. Deficiencies.

SCHEDULE (B.)—PART 1.

DEFICIENCIES.

SCHEDULE of SUMS granted to make good deficiencies on the several grants herein particularly mentioned for the year ended on the 31st day of March 1869, and for preceding years; viz.:—

			£	s.	d.
CIVIL SERVICES, viz.,	CLASS I.	British embassy houses, Paris and Madrid	321	6	4
		Rates for government property	3,802	17	3
	CLASS II.	Treasury	849	2	7
		Chief Secretary to Lord Lieutenant of Ireland	23	5	3
		Commissioners of Works, England	3,019	14	2
		Lunacy Commission, England	15	11	4
		Printing and stationery	13,794	5	3
		Fishery board	1,949	19	2
		Record office, Ireland	10	3	8
		Boundary survey	155	17	10
		Charitable donations, &c.	614	6	6
	CLASS III.	Police, counties and boroughs, Great Britain	29,462	11	11
		Miscellaneous legal charges, England	193	4	0
		County prisons and reformatories, &c., Great Britain	6,040	15	9
		Convict establishments in the colonies	6,745	19	0
		County prisons	2,572	2	1
		Courts of Law and Justice, Scotland	4,021	6	0
		Courts of Probate and Divorce	698	0	3
		Land Registry Office	96	1	0
		Prisons, Scotland	421	6	2
		Constabulary of Ireland	4,650	12	1
		Dundrum Criminal Lunatic Asylum	699	7	7
		Admiralty Court Registry	589	16	8
	CLASS IV.	Queen's colleges, Ireland	308	10	5
		Universities, &c., Scotland	100	12	10
		University of London	4	5	8
		Public education, Ireland	9,632	10	4
		Queen's University, Ireland	281	5	8
		National Gallery, Ireland	21	3	2
	CLASS V.	Treasury chest	5,922	16	6
		Tonnage bounties and liberated African department	3,216	7	4
		China, Japan, Siam, services in	4,568	10	4
		Ditto, (1864–5, 1865–6, 1866–7, 1867–8)	58,443	11	11
		Pitcairn's Islanders (1866–7)	24	11	8
	CLASS VI.	Superannuations and retired allowances	1,154	8	2
		Hospitals and infirmaries, Ireland	4	14	8
		Nonconforming clergy	6,409	10	11
	CLASS VII.	Temporary commissions	19,382	11	4
		Malta and Alexandria telegraph	2,388	1	9
		Local dues on shipping	3,929	9	5
		Ditto, ditto, (1867–8)	11,767	17	8
		Flax cultivation	178	2	11
		Acceleration of registration	9,516	6	1
		TOTAL CIVIL SERVICES	£ 218,003	0	7
Inland Revenue Department			17,728	16	8
Post Office Packet Service			1,557	9	11
		TOTAL	£ 237,289	7	2

SCHEDULE (B.)—PART 2.

SCHED. (B.) PART 2. Supplementary.

SUPPLEMENTARY.

SCHEDULE of SUPPLEMENTARY SUMS granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1870; viz.:—

		£
CIVIL SERVICES, viz., CLASS I.	Harbours under the Board of Trade	5,000
	Rates on Government property	5,300
CLASS II.	Privy Council office	3,560
	Lunacy Commission, England	5,000
	Poor Law Commission, England	7,400
	Poor Law Commission, Ireland	2,550
CLASS III.	Law charges, England	3,000
	Common law courts, England	3,500
	Police, counties, and boroughs, Great Britain	14,000
	County prisons and reformatories, &c., Great Britain	8,000
	Miscellaneous legal charges, England	3,000
	Courts of law and justice, Scotland	1,600
	Register house, Edinburgh	3,700
	Common law courts, Ireland	1,100
	Constabulary, Ireland	5,547
CLASS IV.	Paris Exhibition	8,342
CLASS V.	Consular services	14,700
	Colonies, grants in aid	4,508
	Tonnage Bounties, &c.	25,000
	Treasury chest	6,000
CLASS VI.	Superannuations and retired allowances	18,000
CLASS VII.	Malta and Alexandria telegraph and subsidies to telegraph companies	1,017
	Miscellaneous expenses	24,663
	Acceleration of registration	200
	TOTAL CIVIL SERVICES £	174,687
Inland Revenue department		22,000
Post Office packet service		130,215
	TOTAL £	326,902

SCHEDULE (B.)—PART 3.

SCHED. (B.) PART 3. Navy.

NAVY.

SCHEDULE of SUMS granted to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1871; viz.:—

No.		Sums not exceeding £
1.	For wages, &c. to 61,000 seamen and marines	2,692,731
2.	For victuals and clothing for seamen and marines	968,857
3.	For the expense of the Admiralty Office	159,368

SCHED. (B.) PART 3. Navy.

No.		Sums not exceeding £
4.	For the expense of the coast guard service, the royal naval coast volunteers, and royal naval reserve	196,955
5.	For the expense of the several scientific departments of the navy	68,794
6.	For the expense of the dockyards and naval yards at home and abroad	878,352
7.	For the expense of the victualling yards and transport establishments at home and abroad	69,267
8.	For the expense of the naval medical establishments at home and abroad	57,730
9.	For the expense of the royal marine divisions	18,122
10.	For naval stores for the building, repair, and outfitting the fleet and coast guard	779,090
10.	For steam machinery, and for payments to be made for ships building by contract	466,173
11.	For new works, buildings, machinery, and repairs in the naval establishments	744,232
12.	For medicines, medical stores, &c.	73,150
13.	For martial law and law charges	16,678
14.	For the expense of various miscellaneous services	118,791
15.	For half pay, reserved and retired pay to officers of the navy and royal marines	902,100
16.	For military pensions and allowances	635,666
16.	For civil pensions and allowances	287,134
17.	For freight of ships, for the victualling and conveyance of troops, on account of the army department	237,340
	TOTAL NAVY SERVICES £	9,370,530

SCHED. (B.) PART 4. Army.

SCHEDULE (B.)—PART 4.

ARMY.

SCHEDULE of SUMS granted to defray the charges of the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1871; viz.:—

No.		Sums not exceeding £
1.	For the general staff and regimental pay, allowances, and charges of Her Majesty's land forces at home and abroad, exclusive of India	4,771,900
2.	For divine service	43,400
3.	For martial law	45,600
4.	For the hospital establishment, services, and supplies	247,500
5.	For the militia and inspection of reserve forces	720,000
6.	For the yeomanry cavalry	81,900
7.	For the volunteer corps	412,400
8.	For the army reserve forces, including enrolled pensioners	68,000
9.	For the control establishment, wages, &c.	374,900
10.	For provisions, forage, fuel and light, movement of troops, &c.	1,428,300

SCHED. (B.) PART 4. Army.

No.		Sums not exceeding £
11.	For clothing establishments, services, and supplies	551,300
12.	For the supply, manufacture, and repair of warlike and other stores, for land and sea service, including establishments of manufacturing departments	820,400
13.	For the superintending establishment of, and the expenditure for, works, buildings, and repairs at home and abroad	695,400
14.	For military education	139,300
15.	For miscellaneous services	50,600
16.	For the administration of the army	217,300
17.	For rewards for distinguished services	27,300
18.	For the pay of general officers	73,000
19.	For the full pay of reduced and retired officers, half pay, and the purchase of full and half pay commissions	598,000
20.	For widows pensions and compassionate allowances	155,300
21.	For pensions and allowances to wounded officers	20,800
22.	For Chelsea and Kilmainham hospitals, and the in-pensioners thereof	36,000
23.	For the out-pensioners of Chelsea hospital, &c.	1,220,100
24.	For superannuation allowances, &c.	148,300
25.	For the non-effective services of the militia, yeomanry cavalry, and volunteer corps	18,000
	TOTAL ARMY SERVICES £	12,965,000

SCHEDULE (B.)—PART 5.

SCHED. (B.) PART 5. Civil Services. Class I.

CIVIL SERVICES.—CLASS I.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1871; viz.:—

No.		Sums not exceeding £
1.	For the maintenance and repair of the royal palaces	32,674
2.	For the royal parks and pleasure gardens	119,450
3.	For the maintenance and repair of public buildings in Great Britain; for providing the necessary supply of water for the same; for rents of houses for the temporary accommodation of public departments, and charges attendant thereon	123,807
4.	For the supply and repair of furniture in the public departments in Great Britain	17,200
5.	For purchase of lands for new palace at Westminster	80,000
6.	For the buildings of the Houses of Parliament	43,757
7.	For the purchase of land and houses near the Downing Street site for public offices	18,000
8.	For erecting offices in Downing Street for the Secretaries of State for the Home and Colonial Departments, Poor Law Board, &c.	40,000

SCHED. (B.) PART 5. Civil Services. Class I.

No.		Sums not exceeding £
9.	For enlarging the Public Record Repository, and providing the necessary fittings	36,083
10.	For the repair and restoration of the chapter house at Westminster	6,395
11.	For one half of the expense of erecting, improving, and maintaining court houses or offices for the sheriff courts in Scotland	14,817
12.	Towards the purchase of a site for the enlargement of the National Gallery	44,000
13.	For erecting a building for the University of London	16,700
14.	For a grant in aid of buildings for the University of Glasgow	20,000
15.	For the extension of the Industrial Museum, Edinburgh	10,000
16.	For erecting a new building on the site of the wings and on a portion of the courtyard of Burlington House, for the occupation of various learned bodies	55,000
17.	For erecting and maintaining certain works and buildings at the Post Office and Inland Revenue	159,648
18.	For maintenance of British Museum buildings, rent of premises, and supply of furniture	15,244
19.	For new buildings for county courts, maintenance of courts, supply of furniture, fuel, &c.	60,762
20.	For new buildings for the Department of Science and Art	57,500
21.	For the survey of the United Kingdom, revision of the survey of Ireland, maps for Landed Estates Court, Ireland, publication of maps, and for engraving the geological survey	120,100
22.	For the enlargement of Marlborough House	7,600
23.	For constructing certain harbours under the Board of Trade	70,199
24.	For works and expenses at Portland Harbour	3,880
25.	For a contribution towards the establishment and maintenance of a fire brigade in the metropolis	10,000
26.	For contributions in aid of local assessments for the relief of the poor and for other purposes in respect of certain descriptions of government property, and for salaries and expenses connected with the investigation of claims for contributions	35,913
27.	For the Wellington monument	350
28.	For the erection of a Natural History Museum	6,000
29.	For erecting, repairing, and maintaining the several public buildings in the department of the Commissioners of Public Works in Ireland	147,542
30.	For the restoration of the works of the Ulster Canal	5,000
31.	For erecting and maintaining certain lighthouses abroad	15,510
32.	For the maintenance and repairs of embassy houses abroad	2,722
33.	For the British embassy houses, chapel, consular offices, &c. at Constantinople, China, Japan, and Teheran	61,610
	TOTAL CIVIL SERVICES, CLASS I. £	1,457,463

SCHEDULE (B.)—PART 6.

SCHED. (B.) PART 6. Civil Services. Class II.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1871; viz.:—

No.		Sums not exceeding £
1.	For salaries and expenses in the offices of the House of Lords	45,023
2.	For salaries and expenses in the offices of the House of Commons	49,806
3.	For salaries and expenses of the department of Her Majesty's Treasury	59,193
4.	For salaries and expenses of the office of Her Majesty's Secretary of State for the Home Department and subordinate offices	87,032
5.	For salaries and expenses in the department of Her Majesty's Secretary of State for Foreign Affairs	64,814
6.	For salaries and expenses in the department of Her Majesty's Secretary of State for the Colonies	34,933
7.	For salaries and expenses in the department of Her Majesty's Most Honourable Privy Council and subordinate departments	47,749
8.	For salaries and expenses in the office of the Committee of Privy Council for Trade, and of the subordinate departments	100,114
9.	For the salaries and expenses of the office of the Lord Privy Seal	2,911
10.	For salaries and expenses of the Charity Commission for England and Wales	17,792
11.	For the salaries and expenses of the Civil Service Commission	12,612
12.	For the salaries and expenses of the Copyhold, Inclosure, and Tithe Commission	20,008
13.	For the imprest expenses under the Inclosure and Drainage Acts	10,250
14.	For salaries and expenses in the department of the Comptroller and Auditor General	37,349
15.	For salaries and expenses in the department of the Registrar General of Births, &c. in London	43,720
16.	For the salaries and expenses of the office of the Commissioners in Lunacy in England	15,390
17.	For the salaries and expenses of the Mint, including expenses of the coinage	40,550
18.	For salaries and expenses in the National Debt Office	16,262
19.	For salaries and expenses connected with the Patent Law Amendment Act	34,265
20.	For salaries and expenses in the department of Her Majesty's Paymaster General in London and Dublin	21,432
21.	For expenses connected with the administration of the laws relating to the poor in England	220,109
22.	For salaries and expenses of the Public Record Office in England	22,487

SCHED. (B.) PART 6. Civil Services. Class II.

No.		Sums not exceeding £
23.	For salaries and expenses of the establishments under the Public Works Loan Commissioners, and the West India Islands Relief Commissioners	4,563
24.	For salaries and expenses in the offices of the Registrars of Friendly Societies in England, Scotland, and Ireland	2,344
25.	For stationery, printing, binding, and printed books for the several public departments, and for stationery, printing, binding, and paper, for the two Houses of Parliament, including the salaries and expenses of the Stationery Office	375,656
26.	For salaries and expenses of the office of Woods, Forests, and Land Revenues, and of the office of Land Revenue Records and Inrolments	27,024
27.	For salaries and expenses of the office of the Commissioners of Her Majesty's Works and Public Buildings	34,028
28.	For Her Majesty's Foreign and other secret services	25,000
29.	For salaries and expenses of the department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain offices in Scotland, and other charges formerly paid from the hereditary revenue	5,354
30.	For salaries and expenses of the Board of Fisheries in Scotland	13,312
31.	For salaries and expenses in the department of the Registrar General of Births, &c., Scotland	7,617
32.	For salaries and expenses of the Lunacy Board in Scotland	6,046
33.	For salaries and expenses connected with the administration of the Poor Law in Scotland	17,703
34.	For salaries of the officers and attendants of the household of the Lord Lieutenant of Ireland and other expenses	6,231
35.	For salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London, and subordinate departments	26,496
36.	For charges connected with the boundary survey, Ireland	400
37.	For salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland	2,293
38.	For salaries and expenses of the department of the Registrar General of Births, &c., and for expenses of collecting agricultural and emigration statistics in Ireland	19,880
39.	For the administration of the laws relating to the poor in Ireland	99,022
40.	For salaries and expenses of the Public Record Office, and of the keeper of the State Papers in Ireland	4,492
41.	For salaries and expenses of the office of Public Works in Ireland	26,480
	TOTAL CIVIL SERVICES, CLASS II. £	1,707,742

SCHEDULE (B.)—PART 7.

CIVIL SERVICES.—CLASS III.

SCHED. (B.) PART 7. Civil Services. Class III.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1871; viz.:—

No.		Sums not exceeding £
1.	For law charges, and for salaries, allowances, and incidental expenses, including prosecutions relating to coin, in the department of the solicitor for the affairs of Her Majesty's Treasury	44,615
2.	For prosecutions at assizes and quarter sessions in England, formerly paid out of county rates, including adjudications under the Criminal Justice and the Juvenile Offenders Acts, sheriffs expenses, salaries to clerks of assize and other officers, and for compensation to clerks of the peace under the Criminal Justice Acts, and other expenses of the same class	200,633
3.	For such salaries and expenses of the Court of Chancery in England as are not charged upon the Consolidated Fund	173,831
4.	For such salaries and expenses of the Superior Courts of Common Law in England as are not charged upon the Consolidated Fund	62,315
5.	For such salaries and expenses of the Court of Bankruptcy in England as are not charged upon the Consolidated Fund	79,377
6.	For salaries and expenses of the county courts	420,632
7.	For salaries and expenses of the courts of Probate and Divorce and Matrimonial Causes in England	91,520
8.	For salaries and expenses in the offices of the Registrar and Marshal of the High Court of Admiralty in England	13,200
9.	For salaries and contingent expenses of the Office of Land Registry	5,570
10.	For salaries and expenses of the police courts of London and Sheerness	24,899
11.	For the salaries and expenses of the metropolitan police and the superannuations of the late horse and foot patrol	217,803
12.	For police in counties and boroughs in England and Wales, and for police in Scotland	305,000
13.	For the superintendence of convict establishments and for the maintenance of convicts in England and the Colonies	475,627
14.	For maintenance of prisoners in county and borough prisons, of juvenile offenders in reformatories and industrial schools, and of criminal lunatics in private asylums in Great Britain	303,880
15.	For maintenance of criminal lunatics in Broadmoor Criminal Lunatic Asylum, England	38,943
16.	For miscellaneous legal charges in England	18,790
17.	For salaries and incidental expenses connected with criminal proceedings in Scotland	72,533
18.	For salaries and expenses of the officers of the Courts of Law and Justice in Scotland	56,630
19.	For salaries and expenses of the offices in Her Majesty's General Register House, Edinburgh	27,501

SCHED. (B.) PART 7. Civil Services. Class III.

No.		Sums not exceeding £
20.	For management of prisons in Scotland, for maintenance of prisoners in prisons at Perth and Ayr, and for the department for the collection of judicial statistics	25,075
21.	For the expense of criminal prosecutions and other law charges in Ireland	77,903
22.	For such salaries and expenses of the Court of Chancery in Ireland as are not charged on the Consolidated Fund	45,294
23.	For such salaries and expenses of the Superior Courts of Common Law in Ireland as are not charged on the Consolidated Fund	28,977
24.	For salaries and the incidental expenses of the Court of Bankruptcy and Insolvency in Ireland	8,540
25.	For salaries and expenses of the Landed Estates Court in Ireland	12,997
26.	For salaries and expenses of the Court of Probate and of the District Registries in Ireland	11,421
27.	For salaries and expenses of the Admiralty Court Registry in Ireland	2,090
28.	For salaries and expenses of the Office for the Registration of Deeds in Ireland	15,180
29.	For salaries and expenses in the Office for the Registration of Judgments in Ireland	3,066
30.	For salaries of the Commissioners of Police, and for the expense of the police courts and of the metropolitan police, Dublin	99,400
31.	For the constabulary force, Ireland	913,007
32.	For the superintendence and inspection of Government prisons, for the Office of Registrar of habitual criminals, and for the maintenance of convicts in government prisons in Ireland	48,960
33.	For maintenance of prisoners in county and borough prisons, and the expenses of reformatories and industrial schools in Ireland	43,211
34.	For maintenance of criminal lunatics in Dundrum Criminal Lunatic Asylum, Ireland	5,610
35.	For salaries and expenses of the Four Courts Marshalsea, Dublin	2,530
36.	For certain miscellaneous legal expenses in Ireland	8,820
	TOTAL CIVIL SERVICES, CLASS III. £	3,985,380

SCHED. (B.) PART 8. Civil Services. Class IV.

SCHEDULE (B.)—PART 8.
CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1871; viz :—

No.		Sums not exceeding £
1.	For public education in Great Britain	914,721
2.	For the salaries and expenses of the Department of Science and Art, and of the establishments connected therewith	218,336
3.	For salaries and expenses of the British Museum	90,765
4.	For salaries and expenses of the National Gallery, including the purchase of pictures	16,181

SCHED. (B.) PART. 8. Civil Services. Class IV.

No.		Sums not exceeding £
5.	For the formation of the National Portrait Gallery	1,800
6.	For grants in aid of the expenditure of certain learned societies in Great Britain	12,450
7.	For the University of London	9,577
8.	For the salaries and incidental expenses of the Endowed Schools Commission	12,220
9.	For grants to Scottish universities	18,644
10.	For the annuity to the Board of Manufactures in Scotland, in discharge of equivalents under the Treaty of Union, and for the exhibition of the Torrie Collection, and for other purposes	2,100
11.	For public education under the Commissioners of National Education in Ireland	381,172
12.	For the expenses of the Office of the Commissioners of Education in Ireland	725
13.	For salaries and expenses of the National Gallery of Ireland, and for the purchase of pictures	1,990
14.	For the Royal Irish Academy	1,684
15.	For the Queen's University in Ireland	3,240
16.	For the Queen's Colleges in Ireland	4,265
	TOTAL CIVIL SERVICES, CLASS IV. £	1,689,870

SCHEDULE (B.)—PART 9.

CIVIL SERVICES.—CLASS V.

SCHED. (B). PART 9. Civil Services. Class V.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1871; viz.:—

No.		Sums not exceeding £
1.	For the expenses of Her Majesty's embassies and missions abroad	220,919
2.	For the consular establishments abroad, and for other expenses chargeable on the consular vote	275,520
3.	For the salaries and allowances of governors, &c., and for other expenses in certain colonies	54,116
4.	For the charge of the Orange River Territory (Cape of Good Hope) and the island of St. Helena	4,219
5.	For salaries and expenses of the mixed commissions established under the treaties with foreign powers for suppressing the traffic in slaves	4,280
6.	For tonnage bounties and bounties on slaves, and for expenses of the Liberated African department	29,785
7.	For the Emigration Board and Emigration Officers at the different ports of this kingdom, and for certain other expenses connected with emigration	12,545
8.	For expenses connected with the emigration of Coolies from India to French colonies	950
9.	On account of the Treasury chest	18,259
	TOTAL CIVIL SERVICES, CLASS V. £	620,593

SCHED. (B.) PART 10. Civil Services. Class VI.

SCHEDULE (B.)—PART 10.

CIVIL SERVICES.—CLASS VI.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1871; viz.:—

No.		Sums not exceeding £
1.	For superannuation and retired allowances to persons formerly employed in the public service	399,134
2.	For pensions to masters and seamen of the merchant service, and to their widows and children, under the Merchant Seamen's Fund Act, and for compensation to the late officers of the trustees of the Merchant Seamen's Fund	46,550
3.	For the relief of distressed British seamen abroad	36,000
4.	For the support of certain hospitals and infirmaries, Ireland	19,045
5.	For miscellaneous, charitable, and other allowances in Great Britain	6,714
6.	For certain miscellaneous, charitable, and other allowances in Ireland	6,324
	TOTAL CIVIL SERVICES, CLASS VI. £	513,767

SCHED. (B.) PART 11. Civil Services. Class VII.

SCHEDULE (B.)—PART 11.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1871; viz.:—

No.		Sums not exceeding £
1.	For salaries and expenses of temporary commissions	34,590
2.	For payments on account of the difference of dues payable by British and foreign vessels under treaties of reciprocity	46,147
3.	For the expense of the telegraphic cable laid between Malta and Alexandria, and of the Balmoral telegraph	780
4.	For encouraging the cultivation of flax in Ireland	2,000
5.	For certain miscellaneous expenses	5,465
	TOTAL CIVIL SERVICES, CLASS VII. £	88,982

SCHEDULE (B.)—PART 12.

Sched. (B.) Part 12. Revenue Departments.

REVENUE DEPARTMENTS.

SCHEDULE of SUMS granted to defray the charges of the several REVENUE DEPARTMENTS herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1871 ; viz. :—

No.		Sums not exceeding £
1.	For the salaries and expenses of the Customs Department	989,837
2.	For the salaries and expenses of the Inland Revenue Department	1,592,751
3.	For salaries and expenses of the Post Office services, the expenses of Post Office savings banks, and of government annuities and insurances, and of the collection of the Post Office revenue	2,376,979
4.	For the Post Office packet service (*a.*)	1,107,153
5.	For the salaries and expenses of the Post Office telegraph service	360,000
	TOTAL REVENUE DEPARTMENTS £	6,426,720

(*a.*) No part of this sum is to be applicable or applied in or towards making any payment in respect of any period subsequent to the 20th day of June 1863 to Mr. Joseph George Churchward, or to any person claiming through or under him, by virtue of a certain contract, bearing date the 26th day of April 1859, made between the Lords Commissioners of Her Majesty's Admiralty (for and on behalf of Her Majesty) of the first part, and the said Joseph George Churchward of the second part, or in or towards the satisfaction of any claim whatsoever of the said Joseph George Churchward by virtue of that contract, so far as relates to any period subsequent to the 20th day of June 1863.

SCHEDULE (B.)—PART 13.

Sched. (B.) Part 13.

VOTE OF CREDIT—WAR IN EUROPE.

Towards defraying the expenses beyond the ordinary grants of Parliament which may be incurred in maintaining the Naval and Military services of this kingdom, including the cost of a further number of land forces of 20,000 men during the War in Europe	2,000,000

SCHEDULE (B.)—PART 14.

Sched. (B.) Part 14. Exchequer Bonds.

EXCHEQUER BONDS.

To pay off and discharge Exchequer Bonds which will become due and payable during the year ending on 31st March 1871	£1,300,000

SCHEDULE (B.)—PART 15.

Sched. (B.) Part. 15. Miscellaneous.

MISCELLANEOUS.

Advances during the year ending 31st March 1871 for the purchase of a site, erection of building, and other expenses for the New Courts of Justice and Offices belonging thereto	£ 21,450
Advances during the year ending 31st March 1871 for defraying the expenses of Greenwich Hospital and School	133,996
	£155,446

CHAP. 97.

An Act for granting certain Stamp Duties in lieu of Duties of the same kind now payable under various Acts, and consolidating and amending provisions relating thereto. [10th August 1870.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted:

And be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and commencement of Act.

1. This Act may be cited as "The Stamp Act, 1870," and shall come into operation on the first day of January one thousand eight hundred and seventy-one, which date is herein-after referred to as the commencement of this Act.

Interpretation of terms.

2. In the construction and for the purposes of this Act the following words have the meanings by this section assigned to them, unless it is otherwise provided, or there be something in the context repugnant thereto:

(1.) "The Commissioners" means the Commissioners of Inland Revenue:

(2.) "Material" means and includes every sort of material upon which words or figures can be expressed:

(3.) "Write," "written," and "writing" include every mode in which words or figures can be expressed upon material:

(4.) "Instrument" means and includes every written document:

(5.) "Stamp" means as well a stamp impressed by means of a die as an adhesive stamp:

(6.) "Stamped," with reference to instruments and material, applies as well to instruments and material impressed with stamps by means of a die as to instruments and material having adhesive stamps affixed thereto:

(7.) "Executed" and "execution," with reference to instruments not under seal, mean signed and signature:

(8.) "Money" includes all sums expressed in British or in any foreign or colonial currency:

(9.) "Stock" means and includes any share in any stocks or funds transferable at the Bank of England or at the Bank of Ireland, and India promissory notes, and any share in the stocks or funds of any foreign

or colonial state or government, or in the capital stock or funded debt of any company, corporation, or society in the United Kingdom, or of any foreign or colonial company, corporation, or society:

(10.) "Marketable security" means a security of such a description as to be capable of being sold in any stock market in the United Kingdom:

(11.) "Person" includes company, corporation, and society:

(12.) "Steward" of a manor includes deputy steward.

Grant of duties in schedule.

3. From and after the commencement of this Act, and subject to the exemptions contained in the schedule to this Act, and in any other Acts for the time being in force, there shall be charged for the use of Her Majesty, her heirs and successors, upon the several instruments specified in the schedule to this Act, the several duties in the said schedule specified, and no other duties.

As to instruments charged with the duty of 35*s*.

4. Any instrument which by any Act heretofore passed, and not relating to stamp duties, is specifically charged with the duty of thirty-five shillings, shall, from and after the commencement of this Act, be chargeable only with the duty of ten shillings in lieu of the said duty of thirty-five shillings.

As to instruments relating to property belonging to the Crown.

5. Except where express provision to the contrary is made by this or any other Act, an instrument relating to property belonging to the Crown, or being the private property of the Sovereign, is to be charged with the same duty as an instrument of the same kind relating to property belonging to a subject.

All duties to be paid according to the regulations of this Act, and the schedule to be read as part of this Act.

6. (1.) All stamp duties which may from time to time be chargeable by law upon any instruments are to be paid and denoted according to the general and special regulations in this Act contained.

(2.) The said schedule, and everything therein contained, is to be read and construed as part of this Act.

General Regulations.

How instruments are to be written and stamped.

7. (1.) Every instrument written upon stamped material is to be written in such manner, and every instrument partly or wholly written before being stamped is to be so stamped, that the stamp may appear on the face of the instrument, and cannot be used for or applied to any other instrument written upon the same piece of material.

(2.) If more than one instrument be written upon the same piece of material, every one of such instruments is to be separately and distinctly stamped with the duty with which it is chargeable.

Instruments to be separately charged with duty in certain cases.

8. Except where express provision to the contrary is made by this or any other Act,

(1.) An instrument containing or relating to several distinct matters is to be separately and distinctly charged, as if it were a separate instrument, with duty in respect of each of such matters.

(2.) An instrument made for any consideration or considerations in respect whereof it is chargeable with ad valorem duty, and also for any further or other valuable consideration or considerations, is to be charged with duty in respect of such last-mentioned consideration or considerations as if it were a separate instrument made for such consideration or considerations only.

As to the use of appropriated stamps.

9. (1.) A stamp which by any word or words on the face of it is appropriated to any particular description of instrument is not to be used, or, if used, is not to be available, for an instrument of any other description.

(2.) An instrument falling under the particular description to which any stamp is so appropriated as aforesaid is not to be deemed duly stamped, unless it is stamped with the stamp so appropriated.

Facts and circumstances affecting duty to be set forth in instruments.

10. All the facts and circumstances affecting the liability of any instrument to ad valorem duty, or the amount of the ad valorem duty with which any instrument is chargeable, are to be fully and truly set forth in the instrument; and every person who, with intent to defraud Her Majesty, or her heirs or successors,

(1.) Executes any instrument in which all the said facts and circumstances are not fully and truly set forth;

(2.) Being employed or concerned in or about the preparation of any instrument, neglects or omits fully and truly to set forth therein all the said facts and circumstances;

Penalty, 10*l.* shall forfeit the sum of ten pounds.

Money in foreign or colonial currency to be valued.

11. Where an instrument is chargeable with ad valorem duty in respect of any money in any foreign or colonial currency, such duty shall be calculated on the value of such money in British currency according to the current rate of exchange on the day of the date of the instrument.

Stock and marketable securities to be valued.

12. Where an instrument is chargeable with ad valorem duty in respect of any stock or of any marketable security, such duty shall be calculated on the value of such stock or security according to the average price thereof on the day of the date of the instrument.

Effect of statement of value.

13. Where an instrument contains a statement of current rate of exchange, or average price, as the case may require, and is stamped in accordance with such statement, it is, so far as regards the subject matter of such statement, to be deemed duly stamped, unless or until it is shown that such statement is untrue, and that the instrument is in fact insufficiently stamped.

As to denoting stamp.

14. Where the duty with which an instrument is chargeable depends in any manner upon the duty paid upon another instrument, the payment of such last-mentioned duty shall, if application be made to the Commissioners for that purpose, and on production of both the instruments, be denoted in

such manner as the Commissioners think fit upon such first-mentioned instrument.

Terms upon which instruments may be stamped after execution.

15. (1.) Except where express provision to the contrary is made by this or any other Act, any unstamped or insufficiently stamped instrument may be stamped after the execution thereof, on payment of the unpaid duty and a penalty of ten pounds, and also by way of further penalty, where the unpaid duty exceeds ten pounds of interest on such duty, at the rate of five pounds per centum per annum, from the day upon which the instrument was first executed up to the time when such interest is equal in amount to the unpaid duty.

And the payment of any penalty or penalties is to be denoted on the instrument by a particular stamp.

Proviso.

(2.) Provided as follows:

As to instruments executed abroad.

(*a.*) Any unstamped or insufficiently stamped instrument, which has been first executed at any place out of the United Kingdom, may be stamped, at any time within two months after it has been first received in the United Kingdom, on payment of the unpaid duty only:

As to the remission of penalties.

(*b.*) The Commissioners may, if they think fit, at any time within twelve months after the first execution of any instrument, remit the penalty or penalties, or any part thereof.

Terms upon which unstamped or insufficiently stamped instruments may be received in evidence in any court.

16. (1.) Upon the production of an instrument chargeable with any duty as evidence in any court of civil judicature in any part of the United Kingdom, the officer whose duty it is to read the instrument shall call the attention of the judge to any omission or insufficiency of the stamp thereon, and if the instrument is one which may legally be stamped after the execution thereof, it may, on payment to the officer of the amount of the unpaid duty, and the penalty payable by law on stamping the same as aforesaid, and of a further sum of one pound, be received in evidence, saving all just exceptions on other grounds.

The officer of the court to account for duties and penalties.

(2.) The officer receiving the said duty and penalty shall give a receipt for the same, and make an entry in a book kept for that purpose of the payment and of the amount thereof, and shall communicate to the Commissioners the name or title of the cause or proceeding in which, and of the party from whom, he received the said duty and penalty, and the date and description of the instrument, and shall pay over to the Receiver General of Inland Revenue, or to such other person as the Commissioners may appoint, the money received by him for the said duty and penalty.

(3.) Upon production to the Commissioners of any instrument in respect of which any duty or penalty has been paid as aforesaid, together with the receipt of the said officer, the payment of such duty and penalty shall be denoted on such instrument accordingly.

Instrument not duly stamped inadmissible.

17. Save and except as aforesaid, no instrument executed in any part of the United Kingdom, or relating, wheresoever executed, to any property situate, or to any matter or thing done or to be done, in any part of the United Kingdom, shall, except in criminal proceedings, be pleaded or given in evidence, or admitted to be good, useful, or available in law or equity, unless it is duly stamped in accordance with the law in force at the time when it was first executed.

The Commissioners may be required to express their opinion as to duty.

18. (1.) Subject to such regulations as the Commissioners may think fit to make, the Commissioners may be required by any person to express their opinion with reference to any executed instrument upon the following questions:

(*a.*) Whether it is chargeable with any duty:

(*b.*) With what amount of duty it is chargeable.

Mode and effect of proceeding.

(2.) If the Commissioners are of opinion that the instrument is not chargeable with any duty, such instrument may be stamped with a particular stamp denoting that it is not chargeable with any duty.

(3.) If the Commissioners are of opinion that the instrument is chargeable with duty, they shall assess the duty with which it is in their opinion chargeable, and if or when the instrument is duly stamped in accordance with the assessment of the Commissioners, it may be also stamped with a particular stamp denoting that it is duly stamped.

(4.) Every instrument stamped with the particular stamp denoting either that it is not chargeable with any duty, or is duly stamped, shall be admissible in evidence, and available for all purposes notwithstanding any objection relating to duty.

Provisoes.

(5.) Provided as follows:

(*a.*) An instrument upon which the duty has been assessed by the Commissioners shall not, if it is unstamped or insufficiently stamped, be stamped otherwise than in accordance with the assessment of the Commissioners:

(*b.*) Nothing in this section contained extends to any instrument chargeable with duty, and made as a security for money or stock without limit:

(*c.*) Nothing in this section contained shall be deemed to authorise the stamping after the execution thereof of any instrument prohibited by law from being so stamped.

Person dissatisfied may appeal.

19. (1.) Any person who is dissatisfied with the assessment of the Commissioners made in pursuance of the last preceding section may, within twenty-one days after the date of such assessment, and on payment of duty in conformity therewith, appeal against such assessment to Her Majesty's Court of Exchequer in England, Scotland, or Ireland, according to the country in which the case has arisen, and may for that purpose require the Commissioners to state and sign a case, setting forth the question upon which their opinion was required, and the assessment made by them.

(2.) The Commissioners shall thereupon state and sign a case accordingly, and deliver the same to the person by whom it is required, and on his application such case may be set down for hearing in the proper court. Mode of proceeding.

(3.) Upon the hearing of such case (due notice of which is to be given to the Commissioners) the court shall determine the question submitted, and, if the instrument in question is in the opinion of the court chargeable with any duty, shall assess the duty with which it is so chargeable.

(4.) If it is decided by the court that the assessment of the Commissioners is erroneous, any excess of duty which may have been paid in conformity with such erroneous assessment, together with any penalty which may have been paid in consequence thereof, shall be ordered by the court to be repaid by the Commissioners to the appellant, together with the costs incurred by him in relation to the appeal.

(5.) But if the assessment of the Commissioners is confirmed by the court, the costs incurred by the Commissioners in relation to the appeal shall be ordered by the court to be paid by the appellant to the Commissioners.

20. (1.) In any case of application to the Commissioners with reference to any instrument the Commissioners may require to be furnished with an abstract of the instrument, and also with such evidence as they may deem necessary, in order to show to their satisfaction whether all the facts and circumstances affecting the liability of the instrument to duty, or the amount of the duty chargeable thereon, are fully and truly set forth therein, and may refuse to proceed upon any such application until such abstract and evidence has been furnished accordingly. The Commissioners may call for and refuse to proceed without evidence.

(2.) Provided that no affidavit or statutory declaration made in pursuance of this section shall be used against any person making the same in any proceeding whatever, except in an inquiry as to the duty with which the instrument to which it relates is chargeable; and every person by whom any such affidavit or declaration is made shall, on payment of the full duty with which the instrument to which it relates is chargeable, be relieved from any penalty, forfeiture, or disability he may have incurred by reason of the omission to state truly in such instrument any of the facts or circumstances aforesaid. Proviso.

21. (1.) All public officers having in their custody any rolls, books, records, papers, documents, or proceedings, the inspection whereof may tend to secure any duty, or to the proof or discovery of any fraud or omission in relation to any duty, shall at all seasonable times permit any person thereunto authorised by the Commissioners to inspect all such rolls, books, records, papers, documents, and proceedings, and to take such notes and extracts as he may deem necessary, without fee or reward. Rolls, books, &c. to be open to inspection.

Penalty for refusal, 10*l.*

(2.) Every person who refuses to permit such inspection shall for every such refusal forfeit the sum of ten pounds.

Penalty for enrolling, &c. any instrument not duly stamped, 10*l.*

22. If any person whose office it is to enrol, register, or enter in or upon any rolls, books, or records any instrument chargeable with any duty, enrols, registers, or enters any such instrument not being duly stamped, he shall forfeit the sum of ten pounds.

How duties to be denoted.

23. Except where express provision is made to the contrary, all duties are to be denoted by impressed stamps only.

General direction as to the cancellation of adhesive stamps.

24. (1.) An instrument the duty upon which is required, or permitted by law, to be denoted by an adhesive stamp, is not to be deemed duly stamped with an adhesive stamp unless the person required by law to cancel such adhesive stamp cancels the same by writing on or across the stamp his name or initials, or the name or initials of his firm, together with the true date of his so writing, so that the stamp may be effectually cancelled, and rendered incapable of being used for any other instrument, or unless it is otherwise proved that the stamp appearing on the instrument was affixed thereto at the proper time.

Penalty for neglect or refusal, 10*l.*

(2.) Every person who, being required by law to cancel an adhesive stamp, wilfully neglects or refuses duly and effectually to do so in manner aforesaid, shall forfeit the sum of ten pounds.

Penalty for frauds in relation to adhesive stamps,

25. Any person who—

(1.) Fraudulently removes or causes to be removed from any instrument any adhesive stamp, or affixes any adhesive stamp which has been so removed to any other instrument with intent that such stamp may be used again;

(2.) Sells or offers for sale, or utters, any adhesive stamp which has been so removed, or utters any instrument having thereon any adhesive stamp which has to his knowledge been so removed as aforesaid;

(3.) Practises or is concerned in any fraudulent act, contrivance, or device not specially provided for, with intent to defraud Her Majesty, her heirs or successors, of any duty,

or to any duty, 50*l.*

shall forfeit, over and above any other penalty to which he may be liable, the sum of fifty pounds.

Recovery of penalties.

26. (1.) Penalties incurred under this Act are to be sued for by information in the Court of Exchequer, in England in the name of the Attorney General for England, in Scotland in the name of the Lord Advocate, and in Ireland in the name of the Attorney General for Ireland, and may be recovered with full costs of suit.

(2.) The Commissioners may, at their discretion, mitigate or stay or compound proceedings for any penalty, and reward any person who may inform them of any offence against this Act, or assist in the recovery of any penalty.

Affidavits and declarations how to be made.

27. Any affidavit or declaration to be made in pursuance or for the purposes of this Act may be made before any of the Commissioners, or any officer or person authorised by them in that behalf, or before a person appointed to administer oaths in the Court of Chancery in England or Ireland, or before any person commissioned to take affidavits by the Court of Session in Scotland, or before any justice of the peace or notary public in any part of the United Kingdom, or at any place out of the United Kingdom before any person duly authorized to administer oaths there.

Moneys received and not appropriated to be recoverable in Court of Exchequer.

28. (1.) Every person who, having received any sum of money as or for the duty upon or in respect of any instrument, neglects or omits to appropriate such money to the due payment of such duty, or otherwise improperly withholds or detains the same, shall be accountable for the amount of such duty, and the same shall be a debt from him to Her Majesty, her heirs or successors, and recoverable as such accordingly.

(2.) The Court of Exchequer in England, Scotland, or Ireland may, upon application to be made for that purpose on behalf of the Commissioners, upon such affidavit as may appear sufficient, grant a rule requiring any such person as aforesaid, or the officer of any court, or the executor or administrator of such person or officer, to show cause why he should not deliver to the Commissioners an account upon oath of all duties and sums of money received by such person or officer, and why the same should not be forthwith paid to the Receiver General of Inland Revenue, or to such other person as the Commissioners may appoint to receive the same; and the court may make absolute any such rule, and enforce by attachment or otherwise the payment of any such duties or sums of money as on such proceedings may appear to be due, together with the costs of the proceedings.

SPECIAL REGULATIONS.

As to Admissions generally.

Duty, how to be denoted.

29. The duty payable under this Act upon an admission is to be denoted on the instrument of admission delivered to the person admitted, if there be any such instrument, or if not, on the register, entry, or memorandum of the admission in the rolls, books, or records of the court, inn, college, borough, burgh, company, corporation, guild, or society in which the admission is made, and in cases in which no instrument of admission is delivered, and no register, entry, or memorandum is made, on the rescript or warrant for admission.

Penalty on officers for neglect or refusal to prepare duly stamped

30. If any person whose office it is to prepare or deliver out any instrument of admission chargeable with any duty, or to register, enter, or make any memorandum of any admission in respect of which no instrument of admission is

documents or entries; delivered to the person admitted, neglects or refuses, within one month after the admission, to prepare a duly stamped instrument of admission, or to make a proper and duly stamped register, entry, or memorandum of the admission, as the case may require, he shall forfeit the sum of ten pounds. 10*l.*

As to Admissions to the Degree of a Barrister-at-Law in Ireland, and of Students to the Society of King's Inns, Dublin.

Distinct accounts to be kept of certain sums payable to King's Inns, Dublin.

31. Distinct accounts are to be kept of the sums following; that is to say:

(1.) Ten pounds, part of the duty of fifty pounds payable on the admission to the degree of a barrister-at-law in Ireland of a person not previously admitted to that degree in England:

(2.) Ten pounds, payable for duty on the like admission of a person who has been previously admitted to the said degree in England:

(3.) Ten pounds, part of the duty payable on the admission of a student into the Society of King's Inns, Dublin:

And the said sums are respectively to be paid over by the Receiver General of Inland Revenue to the Treasurer of the Society of King's Inns, Dublin, to be applied by him according to the directions of the said society.

As to admission as a student of King's Inns, Dublin, of a member of Inns of Court in England.

32. If any person, who has been duly admitted a member of one of the Inns of Court in England, is afterwards duly admitted a student of the Society of King's Inns in Dublin, the duty paid by him in respect of his former admission is, on application made within six months after the last admission, to be allowed and returned to him.

As to Admissions or Appointments to and Grants of Offices or Employments.

Fees and emoluments how to be estimated.

33. The fees and emoluments appertaining to any office or employment are, when practicable, to be estimated according to the average amount thereof for three years preceding the date of the admission, appointment, or grant, and in other cases according to the best information that can be obtained.

Re-appointments not chargeable with duty, except for augmentation.

34. Where any office or employment is granted anew to any person upon the revocation of any former grant thereof or appointment thereto, in respect of which the proper duty has been paid, no duty is to be charged on the grant or appointment by way of renewal, unless the salary, fees, and emoluments of the office or employment are in any manner augmented, and in that case duty is to be charged on such last-mentioned grant or appointment in proportion to the amount of the augmentation only.

No duty on promotion in the Customs except for augmentation.

35. Upon the promotion of any person from any office or employment in Her Majesty's Customs, in respect of which he has paid the proper duty, to any other office or employment

therein, the appointment of such person to the office or employment to which he is so promoted is to be charged with duty in respect only of any augmentation in his salary, fees, and emoluments.

As to Agreements.

Duty may be denoted by adhesive stamp.

36. The duty of sixpence upon an agreement may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the agreement is first executed.

As to Appointments, &c. to Ecclesiastical Benefices, &c.

Net yearly value, how to be ascertained and determined.

37. The net yearly value of an ecclesiastical benefice, dignity, or promotion, or of a perpetual curacy, in England, whether the emoluments thereof consist of money or of produce, or partly of money and partly of produce, is to be ascertained and determined by the certificate of the Ecclesiastical Commissioners for England to be written on the instrument charged with duty.

Provided that two or more benefices, or a benefice and any ecclesiastical dignity or promotion episcopally or permanently united, shall be deemed one benefice only.

As to Appraisements.

Appraisements to be written out.

Penalty on the appraiser, 50*l.*

On other offenders, 20*l.*

38. (1.) Every appraiser, by whom an appraisement or valuation is made, shall, within fourteen days after the making thereof, write out the same, in words and figures showing the full amount thereof, upon duly stamped material, and if he neglects or omits so to do, or in any other manner delivers out, or states the amount of, any such appraisement or valuation, shall forfeit the sum of fifty pounds.

(2.) Any person who receives from any appraiser, or pays for the making of, any appraisement or valuation, unless the same be written out and stamped as aforesaid, shall forfeit the sum of twenty pounds.

As to Instruments of Apprenticeship.

Interpretation of term.

39. Every writing relating to the service or tuition of any apprentice, clerk, or servant placed with any master to learn any profession, trade, or employment, (except articles of clerkship to attorneys and others hereby specifically charged with duty,) is to be deemed an instrument of apprenticeship.

Premium or consideration to be set out in writing.

40. The full sum of money, and the value of any other matter or thing, paid, given, or assigned, or secured to be paid, given, or assigned, to or for the benefit of the master with or in respect of any apprentice, clerk, or servant, (not being a person bound to serve in order to admission in any court,) is to be fully and truly set forth in an instrument of apprenticeship; and if any such sum, or other matter or thing, be paid, given, assigned, or secured as aforesaid, and no such instrument be made, or if any such instrument be made, and such sum, or the value of such other matter or thing, be not set forth therein as aforesaid, the master, and also the appren-

tice himself, if of full age, and any other person being a party to the contract, or by whom any such sum, or other matter or thing, is paid, given, assigned, or secured, shall forfeit the sum of twenty pounds, and the contract, and the instrument (if any) containing the same, shall be null and void.

Penalty, 20*l.*, and the contract to be void.

As to original Articles of Clerkship.

Articles in England not to be charged with more than one duty of 80*l.*

41. (1.) Where the same articles are a qualification for the admission of any person not only as an attorney or solicitor in any of Her Majesty's courts at Westminster, but also as an attorney or solicitor in any of the courts of the counties palatine of Lancaster and Durham, such articles are not to be charged with more than one duty of eighty pounds.

And in certain cases may be stamped with additional duty.

(2.) Where any person has become bound by duly stamped articles in order to his admission as an attorney or solicitor in any of the courts of the counties palatine of Lancaster and Durham, such articles shall, on payment of such further amount of duty as, together with the amount of duty previously paid thereon, will make up the sum of eighty pounds, be impressed with a stamp denoting the payment of such further duty, and shall thereupon be considered to be sufficiently stamped for the purpose of entitling such person to admission in any of the courts at Westminster.

Articles in Scotland not to be charged with more than one duty of 60*l.*

42. (1.) Where the same articles are a qualification for the admission of any person not only as a writer to the signet, or as a solicitor, agent, or attorney in any of the Courts of Session, Justiciary, or Commission of Teinds, but also as a procurator or solicitor in any inferior court in Scotland, such articles are not to be charged with more than one duty of sixty pounds.

And in certain cases may be stamped with additional duty.

(2.) Where any person has become bound by duly stamped articles in order to his admission as a procurator or solicitor in any inferior court in Scotland, such articles shall, on payment of such further amount of duty as, together with the amount previously paid thereon, will make up the sum of sixty pounds, be impressed with a stamp denoting the payment of such further duty, and shall thereupon be considered to be sufficiently stamped for entitling such person to admission as a writer to the signet, or as a solicitor, agent, or attorney in the Court of Session, Justiciary, or Commission of Teinds.

Terms upon which articles may be stamped after execution.

43. Save as herein-before provided, articles of clerkship are not to be stamped at any time after the expiration of six months from the date thereof, except upon payment of penalties, as follows:

(1.) If brought to be stamped within one year after date, ten pounds:

(2.) If so brought after one year, and within five years after date,—

For every complete year, and also for any additional part of a year elapsed since the date, ten pounds:

(3.) In every other case, fifty pounds.

Distinct account to be kept of 14*l.* payable to King's Inns, Dublin.

44. The sum of fourteen pounds, part of the duty payable on articles of clerkship in Ireland, shall be carried to a separate account, and paid over by the Receiver General of Inland Revenue to the treasurer of the Society of King's Inns, Dublin, to be applied by him according to the directions of the said society.

As to Bank Notes, Bills of Exchange, and Promissory Notes.

Interpretation of terms.

45. The term "banker" means and includes any corporation, society, partnership, and persons, and every individual person carrying on the business of banking in the United Kingdom.

The term "bank note" means and includes—

(1.) Any bill of exchange or promissory note issued by any banker, other than the Governor and Company of the Bank of England, for the payment of money not exceeding one hundred pounds to the bearer on demand:

(2.) Any bill of exchange or promissory note so issued which entitles or is intended to entitle the bearer or holder thereof, without indorsement, or without any further or other indorsement than may be thereon at the time of the issuing thereof, to the payment of money not exceeding one hundred pounds on demand, whether the same be so expressed or not, and in whatever form, and by whomsoever such bill or note is drawn or made.

Bank notes may be re-issued.

46. A bank note issued duly stamped, or issued unstamped by a banker duly licensed or otherwise authorised to issue unstamped bank notes, may be from time to time re-issued without being liable to any stamp duty by reason of such re-issuing.

Penalty for issuing an unstamped bank note, 50*l.*

47. (1.) If any banker, not being duly licensed or otherwise authorised to issue unstamped bank notes, issues, or causes or permits to be issued, any bank note not being duly stamped, he shall forfeit the sum of fifty pounds.

for receiving, 20*l.*

(2.) If any person receives or takes any such bank note in payment or as a security, knowing the same to have been issued unstamped contrary to law, he shall forfeit the sum of twenty pounds.

Interpretation of term "bill of exchange."

48. (1.) The term "bill of exchange" for the purposes of this Act includes also draft, order, cheque, and letter of credit, and any document or writing (except a bank note) entitling or purporting to entitle any person, whether named therein or not, to payment by any other person of, or to draw upon any other person for, any sum of money therein mentioned.

(2.) An order for the payment of any sum of money by a bill of exchange or promissory note, or for the delivery of any bill of exchange or promissory note in satisfaction of any sum of money, or for the payment of any sum of money out of any particular fund which may or may not be available, or upon any condition or contingency which may or may not be per-

formed or happen, is to be deemed for the purposes of this Act a bill of exchange for the payment of money on demand.

(3.) An order for the payment of any sum of money weekly, monthly, or at any other stated periods, and also any order for the payment by any person at any time after the date thereof of any sum of money, and sent or delivered by the person making the same to the person by whom the payment is to be made, and not to the person to whom the payment is to be made, or to any person on his behalf, is to be deemed for the purposes of this Act a bill of exchange for the payment of money on demand.

Interpretation of term "promissory note."

49. (1.) The term "promissory note" means and includes any document or writing (except a bank note) containing a promise to pay any sum of money.

(2.) A note promising the payment of any sum of money out of any particular fund which may or may not be available, or upon any condition or contingency which may or may not be performed or happen, is to be deemed for the purposes of this Act a promissory note for the said sum of money.

The fixed duty may be denoted by adhesive stamp.

50. The fixed duty of one penny on a bill of exchange for the payment of money on demand may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the bill is signed before he delivers it out of his hands, custody, or power.

Ad valorem duties to be denoted in certain cases by adhesive stamps.

51. (1.) The ad valorem duties upon bills of exchange and promissory notes drawn or made out of the United Kingdom are to be denoted by adhesive stamps.

(2.) Every person into whose hands any such bill or note comes in the United Kingdom before it is stamped shall, before he presents for payment, or indorses, transfers, or in any manner negotiates, or pays such bill or note, affix thereto a proper adhesive stamp or proper adhesive stamps of sufficient amount, and cancel every stamp so affixed thereto.

Provisoes for the protection of bonâ fide holders;

(3.) Provided as follows:

(*a.*) If at the time when any such bill or note comes into the hands of any bonâ fide holder thereof there is affixed thereto an adhesive stamp effectually obliterated, and purporting and appearing to be duly cancelled, such stamp shall, so far as relates to such holder, be deemed to be duly cancelled, although it may not appear to have been so affixed or cancelled by the proper person.

(*b.*) If at the time when any such bill or note comes into the hands of any bonâ fide holder thereof there is affixed thereto an adhesive stamp not duly cancelled, it shall be competent for such holder to cancel such stamp as if he were the person by whom it was affixed, and upon his so doing such bill or note shall be deemed duly stamped, and as valid and available as if the stamp had been duly cancelled by the person by whom it was affixed.

(4.) But neither of the foregoing provisoes is to relieve any person from any penalty incurred by him for not cancelling any adhesive stamp. not to relieve any other person.

52. A bill of exchange or promissory note purporting to be drawn or made out of the United Kingdom is, for the purposes of this Act, to be deemed to have been so drawn or made, although it may in fact have been drawn or made within the United Kingdom. Bills and notes purporting to be drawn, &c. abroad to be deemed to have been so drawn, &c.

53. (1.) Where a bill of exchange or promissory note has been written on material bearing an impressed stamp of sufficient amount but of improper denomination, it may be stamped with the proper stamp on payment of the duty, and a penalty of forty shillings if the bill or note be not then payable according to its tenor, and of ten pounds if the same be so payable. Terms upon which bills and notes may be stamped after execution.

(2.) Except as aforesaid, no bill of exchange or promissory note shall be stamped with an impressed stamp after the execution thereof.

54. (1.) Every person who issues, indorses, transfers, negotiates, presents for payment, or pays any bill of exchange or promissory note liable to duty and not being duly stamped shall forfeit the sum of ten pounds, and the person who takes or receives from any other person any such bill or note not being duly stamped either in payment or as a security, or by purchase or otherwise, shall not be entitled to recover thereon, or to make the same available for any purpose whatever. Penalty for issuing, &c. any unstamped bill or note, 10*l.*; and the bill or note to be unavailable.

(2.) Provided that if any bill of exchange for the payment of money on demand, liable only to the duty of one penny, is presented for payment unstamped, the person to whom it is so presented may affix thereto a proper adhesive stamp, and cancel the same, as if he had been the drawer of the bill, and may, upon so doing, pay the sum in the said bill mentioned, and charge the duty in account against the person by whom the bill was drawn, or deduct such duty from the said sum, and such bill is, so far as respects the duty, to be deemed good and valid. Proviso as to the fixed duty;

(3.) But the foregoing proviso is not to relieve any person from any penalty he may have incurred in relation to such bill. not to relieve from penalty.

55. When a bill of exchange is drawn in a set according to the custom of merchants, and one of the set is duly stamped, the other or others of the set shall, unless issued or in some manner negotiated apart from such duly stamped bill, be exempt from duty; and upon proof of the loss or destruction of a duly stamped bill forming one of a set, any other bill of the set which has not been issued or in any manner negotiated apart from such lost or destroyed bill may, although unstamped, be admitted in evidence to prove the contents of such lost or destroyed bill. One bill only out of a set need be stamped.

As to Bills of Lading.

56. (1.) A bill of lading is not to be stamped after the execution thereof. Bills of lading.

(2.) Every person who makes or executes any bill of lading not duly stamped shall forfeit the sum of fifty pounds.

As to Bills of Sale.

Bills of sale.

57. A copy of a bill of sale is not to be filed in any court, unless the original, duly stamped, is produced to the proper officer.

As to Bonds given in relation to the Duties of Customs and Excise.

Bonds not to include goods, &c. belonging to more than one person.

58. If any person required by any Act of Parliament, or by the direction of the Commissioners of Customs or Inland Revenue, or any of their officers, to give or enter into any bond for or in respect of any duties of customs or excise, or for preventing frauds or evasions thereof, or for any matter or thing relating thereto, includes in one and the same bond any goods or things belonging to more persons than one, not being co-partners or joint tenants, or tenants in common, he shall for every such offence forfeit the sum of fifty pounds.

Penalty 50*l.*

As to the Certificates of Attorneys and others.

Penalty for practising without a certificate,

59. (1.) Every person who in any part of the United Kingdom—

(*a.*) Directly or indirectly acts or practises in any court as an attorney, solicitor, proctor, writer to the signet, agent, or procurator, or as a notary public, without having in force at the time a duly stamped certificate according to the provisions herein-after contained and referred to;

or not making true statement, on application for certificate,

(*b.*) On applying for any such certificate does not truly specify the facts and circumstances upon which the amount of duty chargeable upon his certificate depends;

50*l.*, and incapacity to recover fees, &c.

shall forfeit the sum of fifty pounds, and shall be incapable of maintaining any action or suit for the recovery of any fee, reward, or disbursement on account of or in relation to any act or proceeding done or taken by him in any such capacity.

(2.) Any person in whose name, either alone or together with any other person, any proceeding is taken in any court, shall, unless the proceeding is set aside by the court as irregular, or unless the contrary is otherwise satisfactorily proved, be deemed to have acted in such proceeding.

Penalty on unqualified persons preparing instruments, 50*l.*

60. Every person who (not being a serjeant-at-law, barrister, or a duly certificated attorney, solicitor, proctor, notary public, writer to the signet, agent, procurator, conveyancer, special pleader, or draftsman in equity) either directly or indirectly, for or in expectation of any fee, gain, or reward, draws or prepares any instrument relating to real or personal estate, or any proceedings in law or equity, shall forfeit the sum of fifty pounds.

Provided as follows:— Proviso.

(1.) This section does not extend to

(*a.*) Any public officer drawing or preparing instruments in the course of his duty:

(*b.*) Any person employed merely to engross any instrument or proceedings.

(2.) The term "instrument" in this section does not include—

(*a.*) Wills or other testamentary instruments:

(*b.*) Agreements under hand only:

(*c.*) Letters or powers of attorney:

(*d.*) Transfers of stock containing no trust or limitation thereof.

One certificate only in England, Scotland, or Ireland.

61. *It shall* not be necessary for any person to take out in England, Scotland, or Ireland more than one certificate for any one year.

Certificates of attorneys and others in England and Ireland to be taken out and stamped according to the provisions of Acts relating thereto.

62. The certificates of attorneys, solicitors, and proctors in England and Ireland are to be applied for, taken out, issued, dated, and stamped,—

(1.) In England, in accordance with the provisions in that behalf of an Act of the sixth and seventh years of Her Majesty, intituled "An Act for consolidating "and amending several of the laws relating to "attorneys and solicitors," and of an Act of the twenty-third and twenty-fourth years of Her Majesty, intituled "An Act to amend the laws "relating to attorneys and solicitors and certificated "conveyancers."

(2.) In Ireland, in accordance with the provisions in that behalf of "The Attorneys and Solicitors Act, Ireland, 1866."

Other certificates how to be taken out and stamped.

63. Every person required to take out a certificate to authorise him to practise,—

(1.) In Scotland, as a writer to the signet, solicitor, agent, or procurator;

(2.) In England or Ireland, as a conveyancer, special pleader, or draftsman in equity;

(3.) In any part of the United Kingdom, as a notary public;

shall yearly and every year, before he does any act in any of the aforesaid capacities, deliver to the Commissioners, or to their proper officer, in such manner and form as they shall direct, a note in writing stating his full name and the place where he carries on his business, and thereupon, and upon payment of the proper duty, shall be entitled to such certificate, which is to be duly stamped and issued to him by the Commissioners.

Certain certificates to be dated and to expire as in

64. The certificates in this section specified are to be dated and to expire at the times herein-after in that behalf mentioned; that is to say,

this section mentioned.

(1.) The certificates of writers to the signet, solicitors, agents, attorneys, procurators, and notaries public in Scotland, and of conveyancers, special pleaders, and draftsmen in equity in England, are to be dated, if taken out between the thirty-first of October and the first of December, on the first of November, and if taken out at any other time, on the day on which they are issued, and are in all cases to expire on the thirty-first of October next after their date.

(2.) The certificates of notaries public in England are to be dated, if taken out between the fifteenth of November and the sixteenth of December, on the sixteenth of November, and if taken out at any other time, on the day on which they are issued, and are in all cases to expire on the fifteenth of November next after their date.

(3.) The certificates of conveyancers, special pleaders, draftsmen in equity, and notaries public in Ireland, are to be dated on the day on which they are issued, and are to expire, as to the certificates of notaries public, on the twenty-fifth day of March next after their date, and in all other cases on the sixth day of January next after their date.

As to the Certificate of Registration of a Design.

Duty to be denoted by an appropriated stamp.

65. The duty of five pounds upon the certificate of the registration of a design is to be denoted by a stamp to be specially appropriated for expressing and denoting the said duty.

As to Charter-parties.

Duty may be denoted by an adhesive stamp.

66. The duty upon an instrument chargeable with duty as a charter-party may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is last executed, or by whose execution it is completed as a binding contract.

As to charter-parties executed abroad.

67. Where any document chargeable with duty as a charter-party, and not being duly stamped, is first executed out of the United Kingdom, any party thereto may, within ten days after it has been first received in the United Kingdom, and before it has been executed by any person in the United Kingdom, affix thereto an adhesive stamp denoting the duty chargeable thereon, and at the same time cancel such adhesive stamp, and the instrument with an adhesive stamp thereon so affixed and cancelled shall be deemed duly stamped.

Terms upon which charter-parties may be stamped after execution.

68. An executed instrument chargeable with duty as a charter-party, and not being duly stamped, may be stamped with an impressed stamp upon the following terms; that is to say,

(1.) Within seven days after the first execution thereof, on payment of the duty and a penalty of four shillings and sixpence;

(2.) After seven days, but within one month after the first execution thereof, on payment of the duty and a penalty of ten pounds;

and shall not in any other case be stamped with an impressed stamp.

As to Contract Notes.

69. (1.) The duty on a contract note may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the note is first executed. Duty may be denoted by adhesive stamp.

(2.) Every person who makes or executes any contract note chargeable with duty, and not being duly stamped, shall forfeit the sum of twenty pounds. Penalty for making an unstamped note, 20*l.*;

(3.) No broker, agent, or other person shall have any legal claim to any charge for brokerage, commission, or agency, with reference to the sale or purchase of any stock or marketable security of the value of five pounds or upwards mentioned or referred to in any contract note, unless such note is duly stamped. and no brokerage, &c. recoverable.

As to Conveyances on Sale.

70. The term "conveyance on sale" includes every instrument, and every decree or order of any court or of any commissioners, whereby any property upon the sale thereof is legally or equitably transferred to or vested in the purchaser, or any other person on his behalf or by his direction. Interpretation of term.

71. (1.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of any stock or marketable security, such conveyance is to be charged with ad valorem duty in respect of the value of such stock or security. How ad valorem duty to be calculated in respect of stock and securities.

(2.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of any security not being a marketable security, such conveyance is to be charged with ad valorem duty in respect of the amount due on the day of the date thereof for principal and interest upon such security.

72. (1.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically for a definite period, so that the total amount to be paid can be previously ascertained, such conveyance is to be charged in respect of such consideration with ad valorem duty on such total amount. How consideration consisting of periodical payments to be charged.

(2.) Where the consideration, or any part of theconsideration, for a conveyance on sale consists of money payable periodically in perpetuity, or for any indefinite period not terminable with life, such conveyance is to be charged in respect of such consideration with ad valorem duty on the total amount which will or may, according to the terms of sale, be payable during the period of twenty years next after the day of the date of such instrument.

(3.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable

periodically during any life or lives, such conveyance is to be charged in respect of such consideration with ad valorem duty on the amount which will or may, according to the terms of sale, be payable during the period of twelve years next after the day of the date of such instrument.

(4.) Provided that no conveyance on sale chargeable with ad valorem duty in respect of any periodical payments, and containing also provision for securing such periodical payments, is to be charged with any duty whatsoever in respect of such provision, and no separate instrument made in any such case for securing such periodical payments is to be charged with any higher duty than ten shillings.

How conveyance in consideration of a debt, or subject to future payment, &c., to be charged.

73. Where any property is conveyed to any person in consideration, wholly or in part, of any debt due to him, or subject either certainly or contingently to the payment or transfer of any money or stock, whether being or constituting a charge or incumbrance upon the property or not, such debt, money, or stock is to be deemed the whole or part, as the case may be, of the consideration in respect whereof the conveyance is chargeable with ad valorem duty.

Direction as to duty in certain cases.

74. (1.) Where any property has been contracted to be sold for one consideration for the whole, and is conveyed to the purchaser in separate parts or parcels by different instruments, the consideration is to be apportioned in such manner as the parties think fit, so that a distinct consideration for each separate part or parcel is set forth in the conveyance relating thereto, and such conveyance is to be charged with ad valorem duty in respect of such distinct consideration.

(2.) Where property contracted to be purchased for one consideration for the whole by two or more persons jointly, or by any person for himself and others, or wholly for others, is conveyed in parts or parcels by separate instruments to the persons by or for whom the same was purchased for distinct parts of the consideration, the conveyance of each separate part or parcel is to be charged with ad valorem duty in respect of the distinct part of the consideration therein specified.

(3.) Where a person having contracted for the purchase of any property but not having obtained a conveyance thereof contracts to sell the same to any other person, and the property is in consequence conveyed immediately to the sub-purchaser, the conveyance is to be charged with ad valorem duty in respect of the consideration for the sale by the original purchaser to the sub-purchaser.

(4.) Where a person having contracted for the purchase of any property but not having obtained a conveyance contracts to sell the whole, or any part or parts thereof, to any other person or persons, and the property is in consequence conveyed by the original seller to different persons in parts or parcels, the conveyance of each part or parcel is to be charged with ad valorem duty, in respect only of the consideration moving

from the sub-purchaser thereof, without regard to the amount or value of the original consideration.

(5.) Where a sub-purchaser takes an actual conveyance of the interest of the person immediately selling to him, which is chargeable with ad valorem duty in respect of the consideration moving from him, and is duly stamped accordingly, any conveyance to be afterwards made to him of the same property by the original seller shall be exempt from the said ad valorem duty, and chargeable only with the duty to which it may be liable under any general description, but such last-mentioned duty shall not exceed the ad valorem duty.

As to the sale of an annuity or right not before in existence.

75. Where upon the sale of any annuity or other right not before in existence such annuity or other right is not created by actual grant or conveyance, but is only secured by bond, warrant of attorney, convenant, contract, or otherwise, the bond or other instrument, or some one of such instruments, if there be more than one, is to be charged with the same duty as an actual grant or conveyance, and is for all the purposes of this Act to be deemed an instrument of conveyance on sale.

Where several instruments, the principal instrument only to be charged with ad valorem duty.

76. Where there are several instruments of conveyance for completing the purchaser's title to the property sold, the principal instrument of conveyance only is to be charged with ad valorem duty, and the other instruments are to be respectively charged with such other duty as they may be liable to, but such last-mentioned duty shall not exceed the ad valorem duty payable in respect of the principal instrument.

Principal instrument how to be ascertained.

77. (1.) In the cases below specified the principal instrument is to be ascertained in the following manner:

(*a.*) Where any copyhold or customary estate is conveyed by a deed, no surrender being necessary, the deed is to be deemed the principal instrument:

(*b.*) In other cases of copyhold or customary estates, the surrender or grant, if made out of court, or the memorandum thereof, and the copy of court roll of the surrender or grant, if made in court, shall be deemed the principal instrument:

(*c.*) Where in Scotland there is a disposition or assignation executed by the seller, and any other instrument is executed for completing the title, the disposition or assignation is to be deemed the principal instrument.

(2.) In any other case the parties may determine for themselves which of several instruments is to be deemed the principal instrument, and may pay the ad valorem duty thereon accordingly.

As to Conveyances on any occasion except Sale or Mortgage.

What is to be deemed a conveyance on any occasion, not being a sale or mortgage.

78. Every instrument, and every decree or order of any court or of any commissioners, whereby any property on any occasion, except a sale or mortgage, is transferred to or vested in any person, is chargeable with duty as a conveyance or transfer of property.

Provided that a conveyance or transfer made for effectuating the appointment of a new trustee is not to be charged with any higher duty than ten shillings.

As to attested Copies and Extracts.

Certain copies and extracts may be stamped without penalty within 14 days after attestation.

79. An attested or otherwise authenticated copy or extract of or from—

(1.) An instrument chargeable with any duty;
(2.) An original will, testament, or codicil;
(3.) The probate or probate copy of a will or codicil;
(4.) Letters of administration or a confirmation of a testament;

may be stamped at any time within fourteen days after the date of the attestation or authentication, on payment of the duty only without any penalty.

As to certified Copies and Extracts from Registers of Births, &c.

By whom duty to be paid; may be denoted by adhesive stamp.

80. The duty upon a certified copy or extract of or from any register of births, baptisms, marriages, deaths, or burials is to be paid by the person requiring the copy or extract, and may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the copy or extract is signed before he delivers the same out of his hands, custody, or power.

As to Copyhold and Customary Estates.

Payment of duty to be certified.

81. (1.) The copy of court roll of a surrender or grant made out of court shall not be admissible or available as evidence of the surrender or grant, unless the surrender or grant, or the memorandum thereof, is duly stamped, of which fact the certificate of the steward of the manor on the face of such copy shall be sufficient evidence.

(2.) The entry upon the court rolls of a surrender or grant shall not be admissible or available as evidence of the surrender or grant unless the surrender or grant, if made out of court, or the memorandum thereof, or the copy of court roll of the surrender or grant, if made in court, is duly stamped, of which fact the certificate of the steward of the manor in the margin of such entry shall be sufficient evidence.

Not to be charged more than once.

82. No instrument is to be charged more than once with duty by reason of relating to several distinct tenements, in respect whereof several fines or fees are due to the lord or steward of the manor.

Facts and circumstances affecting duty, how to be stated.

83. (1.) All the facts and circumstances affecting the liability to ad valorem duty of the copy of court roll of any surrender or grant made in court, or the amount of ad valorem duty with which any such copy of court roll is chargeable, are to be fully and truly stated in a note to be delivered to the steward of the manor before the surrender or grant is made.

(2.) Every person who, with intent to defraud Her Majesty, her heirs or successors,— Penalty 50*l.*

(*a.*) Makes in court any surrender before such a note as aforesaid has been delivered to the steward of the manor;

(*b.*) Being employed or concerned in or about the preparation of any such note as aforesaid, neglects or omits fully and truly to state therein all the above-mentioned facts and circumstances;

shall forfeit the sum of fifty pounds.

84. The steward of every manor shall refuse— Steward to refuse to perform certain acts.

(1.) To accept in court any surrender, or to make in court any grant, until such a note as is required by the last preceding section has been delivered to him:

(2.) To enter on the court rolls, or accept any presentment of, or admit any person to be tenant under or by virtue of, any surrender or grant made out of court, or any deed which is not duly stamped:

And in any case in which he does not so refuse shall forfeit the sum of fifty pounds. Penalty for not refusing, 50*l.*

85. The steward of every manor shall, within four months from the day on which any surrender or grant is made in court, make out a duly stamped copy of court roll of such surrender or grant, and have the same ready for delivery to the person entitled thereto, and if he neglects so to do shall forfeit the sum of fifty pounds; and the duty payable in respect of such copy of court roll shall be a debt to Her Majesty, her heirs or successors, from such steward, whether he shall have received it or not, and shall be recoverable by the summary means provided for the recovery of duties received and not applied, and if he has not received the duty the same shall also be a debt to Her Majesty, her heirs or successors, from the party entitled to such copy, and recoverable from him in manner aforesaid. Steward to make out duly stamped copies. Penalty for neglect, 50*l.*; and to be liable for the duty.

86. The steward of any manor may, before he accepts in court any surrender or makes in court any grant, demand and insist on the payment of his lawful fees in relation to the surrender or grant, together with the duty payable on the copy of court roll thereof, and may refuse to proceed in any such matter or to deliver such copy of court roll to any person until such fees and duty are paid. Steward may refuse to proceed except on payment of his fees and duty.

As to Delivery Orders and Warrants for Goods.

87. The term "delivery order" means any document or writing entitling, or intended to entitle, any person therein named, or his assigns, or the holder thereof, to the delivery of any goods, wares, or merchandise of the value of forty shillings or upwards lying in any dock or port, or in any warehouse in which goods are stored or deposited on rent or hire, or upon any wharf, such document or writing being signed by or on Interpretation of term.

behalf of the owner of such goods, wares, or merchandise upon the sale or transfer of the property therein.

Interpretation of term.

88. The term "warrant for goods" means any document or writing, being evidence of the title of any person therein named, or his assigns, or the holder thereof, to the property in any goods, wares, or merchandise lying in any warehouse or dock, or upon any wharf, and signed or certified by or on behalf of the person having the custody of such goods, wares, or merchandise.

Duty may be denoted by an adhesive stamp.

89. The duty upon a delivery order or warrant for goods may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is made, executed, or issued.

By whom duty on delivery order to be paid.

90. The duty upon a delivery order is, in the absence of any special stipulation, to be paid by the person to whom the order is given, and any person from whom a delivery order chargeable with duty is required may refuse to give it, unless or until the amount of the duty is paid to him.

What documents to be chargeable as delivery orders.

91. (1.) Every document or writing in the nature of a delivery order is to be deemed to have been given upon a sale of, or transfer of the property in, goods, wares, or merchandise of the value of forty shillings or upwards, unless the contrary is expressly stated therein; and every person who—

Penalty for making false statement,

(*a.*) Untruly states, or knowingly or willingly allows it to be untruly stated, in any such document or writing, either that the transaction to which it relates is not a sale or transfer of property, or that the goods, wares, or merchandise to which it relates are not of the value of forty shillings;

or signing, &c.

(*b.*) Makes, signs, or issues any delivery order chargeable with duty, but not being duly stamped;

or making use of any order not duly stamped, or containing any false statement, 20*l.*

(*c.*) Knowingly or wilfully, either himself, or by his servant or any other person, procures or requires or authorises the delivery of, or delivers, any goods, wares, or merchandise mentioned in any delivery order which is not duly stamped, or which contains to his knowledge any false statement with reference either to the nature of the transaction, or the value of the goods, wares, or merchandise,

shall forfeit the sum of twenty pounds.

(2.) But no delivery order is, by reason of the same being unstamped, to be deemed invalid in the hands of the person having the custody of, or delivering out, the goods, wares, or merchandise therein mentioned, unless such person is proved to have been party or privy to some fraud on the revenue in relation thereto.

Penalty for making, &c. unstamped warrant, 20*l.*

92. Every person who makes, executes, or issues, or receives or takes by way of security or indemnity, any warrant for goods not being duly stamped, shall forfeit the sum of twenty pounds.

As to Duplicates and Counterparts.

When duly stamped.

93. The duplicate or counterpart of an instrument chargeable with duty (except the counterpart of an instrument chargeable as a lease, such counterpart not being executed by or on behalf of any lessor or grantor,) is not to be deemed duly stamped unless it is stamped as an original instrument, or unless it appears by some stamp impressed thereon that the full and proper duty has been paid upon the original instrument of which it is the duplicate or counterpart.

As to Exchange or Excambion and Partition or Division.

As to exchange or excambion, &c.

94. Where upon the exchange of any real or heritable property for any other real or heritable property, or upon the partition or division of any real or heritable property, any consideration exceeding in amount or value one hundred pounds is paid or given, or agreed to be paid or given, for equality, the principal or only instrument whereby such exchange or partition or division is effected is to be charged with the same ad valorem duty as a conveyance on sale for such consideration, and with such duty only; and where in any such case there are several instruments for completing the title of either party, the principal instrument is to be ascertained, and the other instruments are to be charged with duty according to the provisions of the seventy-sixth and seventy-seventh sections of this Act.

As to Grants of Honours and Dignities.

How to be charged in certain cases.

95. (1.) Where two or more honours or dignities are granted by the same letters patent to the same person, such letters patent are to be charged with the proper duty in respect of the highest in point of rank only.

(2.) Where any honour or dignity, honours or dignities, is or are granted to any person or persons in remainder, the letters patent are to be charged with such further duty in respect of every remainder as would have been payable for an original grant of the same honour or dignity, honours or dignities.

As to Leases, &c.

Agreements for not more than thirty-five years to be charged as leases.

96. (1.) An agreement for a lease or tack, or with respect to the letting of any lands, tenements, or heritable subjects for any term not exceeding thirty-five years, is to be charged with the same duty as if it were an actual lease or tack made for the term and consideration mentioned in the agreement.

(2.) A lease or tack made subsequently to, and in conformity with, such an agreement duly stamped, is to be charged with the duty of sixpence only.

Leases how to be charged

97. (1.) Where the consideration, or any part of the consideration, for which any lease or tack is granted or agreed to

in respect of produce, &c.

be granted, does not consist of money, but consists of any produce or other goods, the value of such produce or goods is to be deemed a consideration in respect of which the lease or tack or agreement is chargeable with ad valorem duty, and where it is stipulated that the value of such produce or goods is to amount at least to, or is not to exceed, a given sum, or where the lessee is specially charged with, or has the option of paying after, any permanent rate of conversion, the value of such produce or goods is, for the purpose of assessing the ad valorem duty, to be estimated at such given sum, or according to such permanent rate.

Effect of statement of value.

(2.) A lease or tack or agreement made either entirely or partially for any such consideration, if it contains a statement of the value of such consideration, and is stamped in accordance with such statement, is, so far as regards the subject matter of such statement, to be deemed duly stamped, unless or until it is otherwise shown that such statement is incorrect, and that it is in fact not duly stamped.

Directions as to duty in certain cases.

98. (1.) A lease or tack, or agreement for a lease or tack, or with respect to any letting, is not to be charged with any duty in respect of any penal rent, or increased rent in the nature of a penal rent, thereby reserved or agreed to be reserved or made payable, or by reason of being made in consideration of the surrender or abandonment of any existing lease, tack, or agreement of or relating to the same subject matter.

(2.) No lease made for any consideration or considerations in respect whereof it is chargeable with ad valorem duty, and in further consideration either of a covenant by the lessee to make, or of his having previously made, any substantial improvement of or addition to the property demised to him, or of any covenant relating to the matter of the lease, is to be charged with any duty in respect of such further consideration.

(3.) No lease for a life or lives not exceeding three, or for a term of years determinable with a life or lives not exceeding three, and no lease for a term absolute not exceeding twenty-one years, granted by an ecclesiastical corporation aggregate or sole, is to be charged with any higher duty than thirty-five shillings.

(4.) No lease for a definite term exceeding thirty-five years granted under the "Trinity College (Dublin) Leasing and Perpetuity Act, 1851," is to be charged with any higher duty than would have been chargeable thereon if it had been a lease for a definite term not exceeding thirty-five years.

(5.) No lease or tack, or agreement for a lease or tack, in Scotland, of any dwelling-house or tenement, or part of a dwelling-house or tenement, for any definite term not exceeding a year, at a rent not exceeding the rate of ten pounds per annum, is to be charged with any higher duty than one penny.

99. The duty upon an instrument chargeable with duty as a lease or tack for any definite term less than a year of— Duty in certain cases may be denoted by adhesive stamp.

(1.) Any dwelling-house or tenement, or part of a dwelling-house or tenement, at a rent not exceeding the rate of ten pounds per annum;

(2.) Any furnished dwelling-house or apartments;

Or upon the duplicate or counterpart of any such instrument, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is first executed.

100. (1.) Every person who executes, or prepares or is employed in preparing, any instrument upon which the duty may, under the provisions of the last preceding section, be denoted by an adhesive stamp, and which is not, at or before the execution thereof, duly stamped, shall forfeit the sum of five pounds. Penalty in certain cases.

(2.) Provided that nothing in this section contained shall render any person liable to the said penalty of five pounds in respect of any letters or correspondence. Proviso.

As to Letters of Allotment, Scrip Certificates, and Scrip.

101. Every person who executes, grants, issues, or delivers out any document chargeable with duty as a letter of allotment, letter of renunciation, or scrip certificate, or as scrip, before the same is duly stamped, shall forfeit the sum of twenty pounds. Penalty for executing, &c. not duly stamped, 20*l.*

As to Letters or Powers of Attorney and Voting Papers.

102. (1.) Every letter or power of attorney for the purpose of appointing a proxy to vote at a meeting, and every voting paper, hereby respectively charged with the duty of one penny, is to specify the day upon which the meeting at which it is intended to be used is to be held, and is to be available only at the meeting so specified or any adjournment thereof. Proxies and voting papers confined to one meeting.

(2.) The said duty of one penny may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is executed. Duty may be denoted by adhesive stamp.

(3.) Every person who makes or executes, or votes or attempts to vote, under or by means of any such letter or power of attorney or voting paper, not being duly stamped, shall forfeit the sum of fifty pounds. Penalty for executing, &c. not duly stamped, 50*l.*,

(4.) Every vote given or tendered under the authority or by means of any such letter or power of attorney or voting paper, not being duly stamped, shall be absolutely null and void. and vote void,

(5.) And no such letter or power of attorney or voting paper shall on any pretence whatever be stamped after the execution thereof by any person. may not be stamped after execution.

103. A letter or power of attorney for the sale, transfer, or acceptance of any of the Government or Parliamentary stocks or funds, duly stamped for that purpose, is not to be charged Power relating to Government stocks, how to be charged.

with any further duty by reason of containing an authority for the receipt of the dividends on the same stocks or funds.

Order to pay dividends not power of attorney.

104. A writing under hand only containing an order, request, or direction from the owner or proprietor of any stock to any company or to any officer of any company, or to any banker, to pay the dividends or interest arising from such stock to any person therein named, is not chargeable with duty as a letter or power of attorney.

As to Mortgages, &c.

Interpretation of term.

105. The term "mortgage" means a security by way of mortgage for the payment of any definite and certain sum of money advanced or lent at the time, or previously due and owing, or forborne to be paid, being payable, or for the repayment of money to be thereafter lent, advanced, or paid, or which may become due upon an account current, together with any sum already advanced or due, or without, as the case may be;

And includes—

Conditional surrender by way of mortgage, further charge, wadset, and heritable bond, disposition, assignation, or tack in security, and eik to a reversion of or affecting any lands, estate, or property, real or personal, heritable or moveable, whatsoever:

Also any deed containing an obligation to infeft any person in an annual rent, or in lands or other heritable subjects in Scotland, under a clause of reversion, but without any personal bond or obligation therein contained for payment of the money or stock intended to be secured:

Also any conveyance of any lands, estate, or property whatsoever in trust to be sold or otherwise converted into money, intended only as a security, and redeemable before the sale or other disposal thereof, either by express stipulation or otherwise, except where such conveyance is made for the benefit of creditors generally, or for the benefit of creditors specified who accept the provision made for payment of their debts in full satisfaction thereof, or who exceed five in number:

Also any defeazance, letter of reversion, back bond, declaration, or other deed or writing for defeating or making redeemable or explaining or qualifying any conveyance, disposition, assignation, or tack of any lands, estate, or property whatsoever, apparently absolute but intended only as a security:

Also any agreement, contract, or bond accompanied with a deposit of title deeds for making a mortgage, wadset, or any such other security or conveyance as aforesaid of any lands, estate, or property comprised in such

title deeds, or for pledging or charging the same as a security:

And also any deed whereby a real burden is declared or created on lands or heritable subjects in Scotland.

Security for stock, how to be charged.

106. A security for the transfer or retransfer of any stock is to be charged with the same duty as a similar security for a sum of money equal in amount to the value of such stock; and a transfer, assignment, disposition, or assignation of any such security, and a reconveyance, release, discharge, surrender, re-surrender, warrant to vacate, or renunciation of any such security, shall be charged with the same duty as an instrument of the same description relating to a sum of money equal in amount to the value of such stock.

Security for future advances, how to be charged.

107. (1.) A security for the payment or repayment of money to be lent, advanced, or paid, or which may become due upon an account current, either with or without money previously due, is to be charged, where the total amount secured or to be ultimately recoverable is in any way limited, with the same duty as a security for the amount so limited.

(2.) Where such total amount is unlimited, the security is to be available for such an amount only as the ad valorem duty impressed thereon extends to cover.

Proviso.

(3.) Provided that no money to be advanced for the insurance of any property comprised in any such security against damage by fire, or for keeping up any policy of life insurance comprised in such security, or for effecting in lieu thereof any new policy, or for the renewal of any grant or lease of any property comprised in such security upon the dropping of any life whereon such property is held, shall be reckoned as forming part of the amount in respect whereof the security is chargeable with ad valorem duty.

Security for repayment by periodical payments, how to be charged.

108. A security for the payment of any rentcharge, annuity, or periodical payments, by way of repayment, or in satisfaction or discharge of any loan, advance, or payment intended to be so repaid, satisfied, or discharged, is to be charged with the same duty as a similar security for the payment of the sum of money so lent, advanced, or paid.

As to transfers and further charges.

109. No transfer of a duly stamped security, and no security by way of further charge for money or stock, added to money or stock previously secured by a duly stamped instrument, is to be charged with any duty by reason of containing any further or additional security for the money or stock transferred or previously secured, or the interest or dividends thereof, or any new covenant, proviso, power, stipulation, or agreement in relation thereto, or any further assurance of the property comprised in the transferred or previous security.

As to copyholds.

110. (1.) Where any copyhold or customary lands or hereditaments are mortgaged alone by means of a conditional surrender or grant, the ad valorem duty is to be charged on the surrender or grant, if made out of court, or the memo-

randum thereof, and on the copy of court roll of the surrender or grant, if made in court.

(2.) Where any copyhold or customary lands or hereditaments are mortgaged, together with other property, for securing the same money or the same stock, the ad valorem duty is to be charged on the instrument relating to the other property, and the surrender or grant, or the memorandum thereof, or the copy of court roll of the surrender or grant, as the case may be, is to be charged with duty as if the surrender or grant were not made upon a mortgage, but such last-mentioned duty shall not exceed the said ad valorem duty.

As to mortgage with conveyance of equity of redemption.

111. An instrument chargeable with ad valorem duty as a mortgage is not to be charged with any other duty by reason of the equity of redemption in the mortgaged property being thereby conveyed or limited in any other manner than to, or in trust for, or according to the direction of, a purchaser.

Exemption from stamp duty in favour of benefit building societies restricted.

112. The exemption from stamp duty conferred by the Act of the sixth and seventh years of King William the Fourth, chapter thirty-two, for the regulation of benefit building societies, shall not extend to any mortgage to be made after the passing of this Act, except a mortgage by a member of a benefit building society for securing the repayment to the society of money not exceeding five hundred pounds.

Interpretation of term "Foreign security."

113. The term "foreign security" means and includes every security for money by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company, bearing date or signed after the third day of June one thousand eight hundred and sixty-two (except an instrument chargeable with duty as a bill of exchange or promissory note),

(1.) Which is made or issued in the United Kingdom;

(2.) Upon which any interest is payable in the United Kingdom;

(3.) Which is assigned, transferred, or in any manner negotiated in the United Kingdom.

Penalty for issuing, &c. foreign security not duly stamped, 20*l.*

114. Every person who in the United Kingdom makes, issues, assigns, transfers, or negotiates, or pays any interest upon, any foreign security not being duly stamped, shall forfeit the sum of twenty pounds.

Foreign securities may be stamped without penalty.

115. The Commissioners may at any time, without reference to the date thereof, allow any foreign security to be stamped without the payment of any penalty, upon being satisfied, in any manner that they may think proper, that it was not made or issued, and has not been transferred, assigned, or negotiated within the United Kingdom, and that no interest has been paid thereon within the United Kingdom.

As to Notarial Acts.

Duty may be denoted by adhesive stamp.

116. The duty upon a notarial act, and upon the protest by a notary public of a bill of exchange or promissory note, may be denoted by an adhesive stamp, which is to be cancelled by the notary.

As to Policies of Insurance.

Interpretation of terms, &c.

117. (1.) The term "insurance" includes assurance, and the term "policy" includes every writing whereby any contract of insurance is made, or agreed to be made, or is evidenced; and, except as herein-after mentioned, this Act does not apply to policies of sea insurance.

(2.) A policy of sea insurance made or executed out of, but being in any manner enforceable within, the United Kingdom, is to be charged with duty under the Act of the thirtieth year of Her Majesty's reign, chapter twenty-three, and may be stamped at any time within two months after it has been first received in the United Kingdom on payment of the duty only.

Penalty for not making out policy, or making, &c. any policy not duly stamped, 20*l.*

118. Every person who—

(1.) Receives, or takes credit for, any premium or consideration for any contract of insurance, and does not, within one month after receiving, or taking credit for, such premium or consideration, make out and execute a duly stamped policy of such insurance;

(2.) Makes, executes, or delivers out, or pays or allows in account, or agrees to pay or allow in account, any money upon or in respect of, any policy which is not duly stamped;

shall forfeit the sum of twenty pounds.

Duty may be denoted by adhesive stamp.

119. (1.) The duties imposed by this Act upon policies of insurance may be denoted by adhesive stamps, or partly by adhesive and partly by impressed stamps.

(2.) When the whole or any part of the duty upon a policy of insurance is denoted by an adhesive stamp, such adhesive stamp is to be cancelled by the person by whom the policy is first executed.

Penalty, 20*l.*

(3.) In default of such cancellation, the person making the insurance shall forfeit the sum of twenty pounds.

As to Receipts.

Interpretation of term.

120. The term "receipt" means and includes any note, memorandum, or writing whatsoever whereby any money amounting to two pounds or upwards, or any bill of exchange or promissory note for money amounting to two pounds or upwards, is acknowledged or expressed to have been received or deposited or paid, or whereby any debt or demand, or any part of a debt or demand, of the amount of two pounds or upwards, is acknowledged to have been settled, satisfied, or discharged, or which signifies or imports any such acknowledgment, and whether the same is or is not signed with the name of any person.

Duty may be denoted by adhesive stamp.

121. The duty upon a receipt may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the receipt is given before he delivers it out of his hands.

Terms upon which receipts may be stamped after execution.

122. A receipt given without being stamped may be stamped with an impressed stamp upon the terms following; that is to say,

(1.) Within fourteen days after it has been given, on payment of the duty and a penalty of five pounds;

(2.) After fourteen days, but within one month, after it has been given, on payment of the duty and a penalty of ten pounds;

and shall not in any other case be stamped with an impressed stamp.

Penalty for offences.

123. If any person—

(1.) Gives any receipt liable to duty and not duly stamped;

(2.) In any case where a receipt would be liable to duty refuses to give a receipt duly stamped;

(3.) Upon a payment to the amount of two pounds or upwards gives a receipt for a sum not amounting to two pounds, or separates or divides the amount paid with intent to evade the duty;

he shall forfeit the sum of ten pounds.

As to Settlements.

As to settlement of policy or security.

124. Where any money which may become due or payable upon any policy of insurance, or upon any security not being a marketable security, is settled or agreed to be settled, the instrument whereby such settlement is made or agreed to be made is to be charged with ad valorem duty in respect of such money.

Proviso as to policies.

Provided as follows:

(1.) Where, in the case of a policy of insurance, no provision is made for keeping up the policy, the ad valorem duty is to be charged only on the value of the policy at the date of the instrument:

(2.) If in any such case the instrument contains a statement of such value, and is stamped in accordance with such statement, it is, so far as regards such policy, to be deemed duly stamped, unless or until it is shown that such statement is untrue, and that the instrument is in fact insufficiently stamped.

Settlements when not to be charged as securities.

125. (1.) An instrument chargeable with ad valorem duty as a settlement in respect of any money, stock, or security is not to be charged with any further duty by reason of containing provision for the payment or transfer of the same money, stock, or security.

(2.) Where any money, stock, or security is settled or agreed to be settled by a person who has only a reversionary interest therein, and the instrument whereby such settlement is made or agreed to be made contains a covenant by the person entitled in possession to the interest or dividends of such money, stock, or security for the payment, during the continuance of such possession, of any annuity or yearly sum not

exceeding interest at the rate of four pounds per centum per annum upon the amount or value of such money, stock, or security, such instrument shall not be charged with any duty in respect of such covenant.

Where several instruments one only to be charged with ad valorem duty.

126. (1.) Where several instruments are executed for effecting the settlement of the same property, and the ad valorem duty chargeable in respect of the settlement of such property exceeds ten shillings, one only of such instruments is to be charged with the ad valorem duty.

(2.) Where a settlement is made in pursuance of any previous agreement or articles upon which any ad valorem settlement duty exceeding ten shillings has been paid in respect of the same property, such settlement is not to be charged with any ad valorem settlement duty.

(3.) In each of the aforesaid cases the instruments not chargeable with ad valorem duty are to be charged with the duty of ten shillings.

As to Share Warrants.

Penalty for issuing share warrant not duly stamped, 50*l.*

127. If a share warrant is issued without being duly stamped, the company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary or other principal officer of the company, shall forfeit the sum of fifty pounds.

As to transfers of Shares in Cost Book Mines.

Duty may be denoted by adhesive stamp.

128. (1.) The duty upon a request or authority to the purser or other officer of a mining company conducted on the cost book system to enter or register the transfer of any share or part of a share of the mine, and the duty upon a notice to such purser or officer of any such transfer, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the request, authority, or notice is written or executed.

Penalty for signing, &c. 20*l.*

(2.) Every person who writes or executes any such request, authority, or notice, not being duly stamped, and every purser or other officer of any such company who in any manner obeys, complies with, or gives effect to any such request, authority, or notice, not being duly stamped, shall forfeit the sum of twenty pounds.

SCHEDULE.

	Duty. £	s.	d.
ADMISSION in England, Scotland, or Ireland, of any person—			
As an advocate in any court - - -	50	0	0

Exemption.

Where a person has been duly admitted as an advocate in any court in England, Scotland, or Ireland, his admission as an advocate in any other court in the same country is exempt from duty.

And *see* sections 29 and 30.

	£	s.	d.
ADMISSION in England or Ireland of any person—			
To the degree of barrister-at-law.			
If he has been previously duly admitted to the said degree in Ireland, or in England, as the case may be - - - - -	10	0	0
In any other case - - - - -	50	0	0
And *see* sections 29, 30, and 31.			
ADMISSION of any person—			
To be a member of either of the four Inns of Court in England, or a student of the Society of King's Inns in Dublin - - - - -	25	0	0
Exemptions.			
(1.) Where a person has been duly admitted a member of one of the Inns of Court in England, his admission as a member of any other of the said Inns is exempt from duty.			
(2.) Where a person has been duly admitted a student of the Society of King's Inns in Dublin, his admission as a member of any of the Inns of Court in England is exempt from duty.			
And *see* sections 29, 30, 31, and 32.			
ADMISSION of any person—			
To be a member of either of the Societies commonly called Inns of Chancery in England - -	3	0	0
And *see* sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
As an attorney, solicitor, or proctor in any court -	25	0	0
Exemption.			
Where a person has been duly admitted as an attorney, solicitor, or proctor in any court in England or Ireland, his admission to act in either of those capacities in any other court in the same country is exempt from duty.			
And *see* sections 29 and 30.			
ADMISSION in Scotland of any person—			
(1.) As a writer to the signet, or as a solicitor, agent, or attorney in the Court of Session, Justiciary, or Commission of Teinds:			
If he has previously paid the sum of 60*l.* for duty upon his articles of clerkship -	25	0	0
If he has been previously duly admitted as a procurator or solicitor in any inferior court - - - - -	30	0	0
In any other case - - - -	85	0	0
(2.) As a procurator or solicitor in any inferior court:			
If he has previously paid the sum of 2*s.* 6*d.* for duty on his articles of clerkship -	54	17	6
In any other case - - -	55	0	0
Exemptions.			
(1.) Where a person has been duly admitted as a writer to the signet, or as a solicitor, agent, or attorney in the Court of Session, Justiciary, or Commission of Teinds, his admission to act in either of those capacities in			

	£	s.	d.
any other of the said courts, or as a procurator or solicitor in any inferior court, is exempt from duty.			
(2.) Where a person has been duly admitted as a procurator or solicitor in any inferior court, his admission as a procurator or solicitor in any other inferior court is exempt from duty.			
And *see* sections 29 and 30.			
ADMISSION to act as a notary public.			
See FACULTY.			
ADMISSION of any person—			
As a Fellow of the College of Physicians in England, Scotland, or Ireland - - -	25	0	0
And *see* sections 29 and 30.			
ADMISSION to the degree of doctor of medicine in either of the universities in Scotland - -	10	0	0
And *see* sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
As a burgess, or into any corporation or company, in any city, borough, or town corporate.			
In respect of birth, apprenticeship, or marriage, or, in Ireland, in respect of being engaged in any trade, mystery, or handicraft -	1	0	0
Upon any other ground - - -	3	0	0
Exemption.			
Admission of any person to the freedom of the city of London by redemption.			
And *see* sections 29 and 30.			
ADMISSION in Scotland of any person—			
As a burgess, or into any corporation or company, in any burgh - - - - -	0	5	0
Exemption.			
Admission of a craftsman or other person into any corporation within any royal burgh, burgh of royalty, or burgh of barony incorporated by the magistrates and council of such burgh, provided such craftsman or other person has been previously duly admitted a freeman or burgess of the burgh.			
And *see* sections 29 and 30.			
ADMISSION to ecclesiastical benefices in Scotland.			
See APPOINTMENT, &c. to ecclesiastical benefices.			
ADMISSION and APPOINTMENT or GRANT by any writing—			
To or of any office or employment—			
Where the annual salary, fees, or emoluments appertaining to such office or employment do not exceed 100*l.* - - - -	2	0	0
Exceed 100*l.* and do not exceed 150*l.* - -	4	0	0
„ 150*l.* „ „ 200*l.* - -	6	0	0
„ 200*l.* „ „ 250*l.* -	8	0	0
„ 250*l.* „ „ 300*l.* - -	10	0	0
„ 300*l.*—			
for every 100*l.* and also for any fractional part of 100*l.* - - - - -	5	0	0

Exemptions.

(1.) Admission proceeding upon a duly stamped appointment or grant. £ s. d.

(2.) First appointment of any person to the office or employment of out-door officer, boatman, waterman, or watchman in the service of the Customs.

(3.) Periodical re-admission or re-appointment to any office or employment of any person who has been once duly admitted to such office or employment.

And *see* sections 29, 30, 33, 34, and 35.

AFFIDAVIT, or STATUTORY DECLARATION made under the provisions of 5 & 6 Will. 4. c. 62. - 0 2 6

Exemptions.

(1.) Affidavit made for the immediate purpose of being filed, read, or used in any court, or before any judge, master, or officer of any court.

(2.) Affidavit or declaration made upon a requisition of the commissioners of any public board of revenue, or any of the officers acting under them, or required by law, and made before any justice of the peace.

(3.) Affidavit or declaration which may be required at the Bank of England or the Bank of Ireland to prove the death of any proprietor of any stock transferable there, or to identify the person of any such proprietor, or to remove any other impediment to the transfer of any such stock.

(4.) Affidavit or declaration relating to the loss, mutilation, or defacement of any bank note or bank post bill.

(5.) Declaration required to be made pursuant to any Act relating to marriages in order to a marriage without licence.

AGREEMENT or CONTRACT, accompanied with a deposit.

See MORTGAGE, &c., and section 105.

AGREEMENT for a lease or tack, or for any letting.

See LEASE or TACK, and section 96.

AGREEMENT or CONTRACT made or entered into pursuant to the Highway Acts for or relating to the making, maintaining, or repairing of highways - 0 0 6

AGREEMENT, or any MEMORANDUM of an AGREEMENT, made in England or Ireland under hand only, or made in Scotland without any clause of registration, and not otherwise specifically charged with any duty, whether the same be only evidence of a contract, or obligatory upon the parties from its being a written instrument - - - - 0 0 6

Exemptions.

(1.) Agreement or memorandum the matter whereof is not of the value of 5*l.*

	£	s.	d.
(2.) Agreement or memorandum for the hire of any labourer, artificer, manufacturer, or menial servant.			
(3.) Agreement, letter, or memorandum made for or relating to the sale of any goods, wares, or merchandise.			
(4.) Agreement or memorandum made between the master and mariners of any ship or vessel for wages on any voyage coastwise from port to port in the United Kingdom.			
And *see* section 36.			
ALLOTMENT. *See* LETTER OF ALLOTMENT.			
ANNUITY, conveyance in consideration of. *See* CONVEYANCE ON SALE, and section 72.			
purchase of. *See* CONVEYANCE ON SALE, and section 75.			
creation of, by way of security. *See* MORTGAGE, &c. and section 108.			
instruments relating to, upon any other occasion. *See* BOND, COVENANT, &c.			
APPOINTMENT, whether by way of DONATION, PRESENTATION, or NOMINATION, and ADMISSION, COLLATION, or INSTITUTION to or LICENCE TO HOLD—			
Any ecclesiastical benefice, dignity, or promotion, or any perpetual curacy.			
In England.			
If the net yearly value thereof exceeds—			
50*l.* and does not exceed 100*l.* -	1	0	0
100*l.* „ „ 150*l.* -	2	0	0
150*l.* „ „ 200*l.* -	3	0	0
200*l.* „ „ 250*l.* -	4	0	0
250*l.* „ „ 300*l.* -	5	0	0
300*l.* - - - -	7	0	0
And also (if such yearly value exceeds 300*l.*) for every 100*l.* of such yearly value over and above 200*l.* a further duty of - - -	5	0	0
In Scotland - - - - -	2	0	0
Exemptions.			
Admission, collation, institution, or licence proceeding upon a duly stamped donation, presentation, or nomination.			
And *see* section 37.			
APPOINTMENT of a new trustee, and APPOINTMENT in execution of a power of any property, or of any use, share, or interest in any property, by any instrument not being a will - - -	0	10	0
And *see* section 78.			
APPOINTMENT of a gamekeeper. *See* DEPUTATION.			
APPOINTMENTS to offices or employments. *See* ADMISSION.			

	£	s.	d.
APPRAISEMENT or VALUATION of any property or of any interest therein, or of the annual value thereof, or of any dilapidations, or of any repairs wanted, or of the materials and labour used or to be used in any building, or of any artificers work whatsoever.			
Where the amount of the appraisement or valuation does not exceed 5*l* - - - -	0	0	3
Exceeds 5*l*. and does not exceed 10*l*. - -	0	0	6
„ 10*l*. „ 20*l*. - -	0	1	0
„ 20*l*. „ 30*l*. - -	0	1	6
„ 30*l*. „ 40*l*. - -	0	2	0
„ 40*l*. „ 50*l*. - -	0	2	6
„ 50*l*. „ 100*l*. - -	0	5	0
„ 100*l*. „ 200*l*. - -	0	10	0
„ 200*l*. „ 500*l*. - -	0	15	0
„ 500*l*. - - - - -	1	0	0

Exemptions.

(1.) Appraisement or valuation made for, and for the information of, one party only, and not being in any manner obligatory as between parties either by agreement or operation of law.

(2.) Appraisement or valuation made in pursuance of the order of any Court of Admiralty or Vice-Admiralty, or of any Court of Appeal, from any sentence, adjudication, or judgment of any Court of Admiralty or Vice-Admiralty.

(3.) Appraisement or valuation of any property made for the purpose of ascertaining the legacy or succession duty payable in respect thereof.

And *see* section 38.

APPRENTICESHIP, instrument of.			
Where there is no premium or consideration -	0	2	6
In any other case—			
For every 5*l*., and also for any fractional part of 5*l*., of the amount or value of the premium or consideration - - - - -	0	5	0

Exemptions.

(1.) Instrument relating to any poor child apprenticed by, or at the sole charge of, any parish or township, or by or at the sole charge of any public charity, or pursuant to any Act for the regulation of parish apprentices.

(2.) Instrument of apprenticeship in Ireland, where the value of the premium or consideration does not exceed 10*l*.

And *see* sections 39 and 40.

ARTICLES OF CLERKSHIP whereby any person first becomes bound to serve as a clerk in order to his admission,

(1.) As an attorney or solicitor in any of Her Majesty's courts at Westminster or in

	£	s.	d.
Ireland, or as a proctor in the High Court of Admiralty, or any Ecclesiastical Court in England or Ireland - - -	80	0	0
(2.) As an attorney or solicitor in any of the courts of the counties palatine of Lancaster and Durham, or as a writer to the signet, or as a solicitor, agent, or attorney in the Court of Session, Justiciary, or Commission of Teinds in Scotland - - -	60	0	0
(3.) As a procurator or solicitor in any inferior court in Scotland - - - -	0	2	6
And *see* sections 41, 42, 43, and 44.			
ARTICLES OF CLERKSHIP, whereby any person, having been before bound by duly stamped articles to serve as a clerk in order to his admission in any of the courts aforesaid, and not having completed his service so as to be entitled to such admission, becomes bound afresh for the same purpose - -	0	10	0
ASSIGNMENT or ASSIGNATION.			
By way of security, or of any security. *See* MORTGAGE, &c.			
Upon a sale or otherwise. *See* CONVEYANCE.			
ASSURANCE or INSURANCE. *See* POLICY.			
ATTESTED COPY. *See* COPY.			
ATTORNEY, LETTER or POWER of. *See* LETTER OF ATTORNEY. WARRANT of. *See* WARRANT OF ATTORNEY.			
AWARD in England or Ireland, and AWARD or DECREET ARBITRAL in Scotland.			
Where the amount or value of the matter in dispute does not exceed 5*l.* - - -	0	0	3
Exceeds 5*l.* and does not exceed 10*l.* -	0	0	6
„ 10*l.* „ 20*l.* - -	0	1	0
„ 20*l.* „ 30*l.* -	0	1	6
„ 30*l.* „ 40*l.* - -	0	2	0
„ 40*l.* „ 50*l.* -	0	2	6
„ 50*l.* „ 100*l.* -	0	5	0
„ 100*l.* „ 200*l.* - -	0	10	0
„ 200*l.* „ 500*l.* - -	0	15	0
„ 500*l.* „ 750*l.* -	1	0	0
„ 750*l.* „ 1,000*l.* - -	1	5	0
And where it exceeds 1,000*l.*, and in any other case not above provided for - -	1	15	0
BACK BOND. *See* MORTGAGE, &c., and section 105.			
BANK NOTE—			
For money not exceeding 1*l.* - - -	0	0	5
Exceeding 1*l.* and not exceeding 2*l.* - -	0	0	10
„ 2*l.* „ 5*l.* - -	0	1	3
„ 5*l.* „ 10*l.* - -	0	1	9
„ 10*l.* „ 20*l.* - -	0	2	0
„ 20*l.* „ 30*l.* - -	0	3	0
„ 30*l.* „ 50*l.* - -	0	5	0
„ 50*l.* „ 100*l.* - -	0	8	6
And *see* sections 45, 46, and 47.			
BILL OF EXCHANGE—			
Payable on demand - - -	0	0	1

	£	s.	d.
BILL OF EXCHANGE of any other kind whatsoever (*except a Bank Note*) and **PROMISSORY NOTE** of any kind whatsoever (*except a Bank Note*)—drawn, or expressed to be payable, or actually paid, or endorsed, or in any manner negotiated in the United Kingdom:			
Where the amount or value of the money for which the bill or note is drawn or made does not exceed 5*l.* - - -	0	0	1
Exceeds 5*l.* and does not exceed 10*l.* -	0	0	2
„ 10*l.* „ 25*l.* -	0	0	3
„ 25*l.* „ 50*l.* -	0	0	6
„ 50*l.* „ 75*l.* -	0	0	9
„ 75*l.* „ 100*l.* -	0	1	0
„ 100*l.*— for every 100*l.*, and also for any fractional part of 100*l.*, of such amount or value -	0	1	0

Exemptions.

(1.) Bill or note issued by the Governor and Company of the Bank of England or Bank of Ireland.

(2.) Draft or order drawn by any banker in the United Kingdom upon any other banker in the United Kingdom, not payable to bearer or to order, and used solely for the purpose of settling or clearing any account between such bankers.

(3.) Letter written by a banker in the United Kingdom to any other banker in the United Kingdom, directing the payment of any sum of money, the same not being payable to bearer or to order, and such letter not being sent or delivered to the person to whom payment is to be made, or to any person on his behalf.

(4.) Letter of credit granted in the United Kingdom authorising drafts to be drawn out of the United Kingdom payable in the United Kingdom.

(5.) Draft or order drawn by the Accountant General of the Court of Chancery in England or Ireland.

(6.) Warrant or order for the payment of any annuity granted by the Commissioners for the Reduction of the National Debt, or for the payment of any dividend or interest on any share in the Government or Parliamentary stocks or funds.

(7.) Bill drawn by the Lords Commissioners of the Admiralty, or by any person under their authority, under the authority of any Act of Parliament upon and payable by the Accountant General of the Navy.

(8.) Bill drawn (according to a form prescribed by Her Majesty's orders by any person

	£	s.	d.
duly authorised to draw the same) upon and payable out of any public account for any pay or allowance of the army or other expenditure connected therewith.			
(9.) Coupon or warrant for interest attached to and issued with any security.			
And *see* sections 48, 49, 50, 51, 52, 53, 54, and 55.			
BILL OF LADING of or for any goods, merchandise, or effects to be exported or carried coastwise -	0	0	6
And *see* section 56.			
BILL OF SALE—			
Absolute. *See* CONVEYANCE ON SALE.			
By way of security. *See* MORTGAGE, &c.			
And *see* section 57.			
BOND for securing the payment or repayment of money or the transfer or retransfer of stock.			
See MORTGAGE, &c.			
BOND in relation to any annuity upon the original creation and sale thereof.			
See CONVEYANCE ON SALE, and section 75.			
BOND, COVENANT, or INSTRUMENT of any kind whatsoever.			
(1.) Being the only or principal or primary security for any annuity (*except upon the original creation thereof by way of sale or security*), or of any sum or sums of money at stated periods, not being interest for any principal sum secured by a duly stamped instrument, nor rent reserved by a lease or tack.			
For a definite and certain period, so that the total amount to be ultimately payable can be ascertained -	The same ad valorem duty as a bond or covenant for such total amount.		
For the term of life or any other indefinite period.			
For every 5*l.*, and also for any fractional part of 5*l.*, of the annuity or sum periodically payable -	0	2	6
(2.) Being a collateral or auxiliary or additional or substituted security for any of the above-mentioned purposes where the principal or primary instrument is duly stamped.			
Where the total amount to be ultimately payable can be ascertained - -	The same ad valorem duty as a bond or covenant of the same kind for such total amount.		
In any other case:			
For every 5*l.*, and also for any fractional part of 5*l.*, of the annuity or sum periodically payable - - - - - -	0	0	6
BOND given pursuant to the directions of any Act of Parliament, or by the directions of the Commissioners of Customs or Inland Revenue, or any of their officers, for or in respect of any of the duties			

	£	s.	d.
of customs or excise, or for preventing frauds or evasions thereof, or for any other matter or thing relating thereto.			
Where the penalty of the bond does not exceed 150*l.* - - - - - (The same ad valorem duty as a bond for the amount of the penalty.)			
And in any other case - - - - -	0	5	0

Exemption.

Bond given as aforesaid upon, or with relation to, the receiving or obtaining, or for entitling any person to receive or obtain, any drawback of any duty or duties, or part of any duty or duties, of customs or excise, for or in respect of any goods, wares, or merchandise exported or shipped to be exported from the United Kingdom to any parts beyond the seas, or upon or with relation to the obtaining of any debenture or certificate for entitling any person to receive any such drawback as aforesaid.

And *see* section 58.

BOND on obtaining letters of administration in England or Ireland, or a confirmation of testament in Scotland - - - - - - - 0 5 0

Exemptions.

(1.) Bond given by the widow, child, father, mother, brother or sister, of any common seaman, marine or soldier, slain or dying in the service of Her Majesty, her heirs or successors.

(2.) Bond given by any person where the estate to be administered does not exceed 100*l.* in value.

BOND of any kind whatsoever not specifically charged with any duty:

Where the amount limited to be recoverable does not exceed 300*l.* - - - - - (The same ad valorem duty as a bond for the amount limited.)			
In any other case - - - - - -	0	10	0

BOND, accompanied with a deposit of title deeds, for making a mortgage, wadset, or other security on any estate or property therein comprised.

See MORTGAGE, &c., and section 105.

BOND, DECLARATION, or other DEED or WRITING for making redeemable any disposition, assignation, or tack, apparently absolute, but intended only as a security.

See MORTGAGE, &c., and section 105.

CERTIFICATE to be taken out yearly—

(1.) By every person admitted or inrolled in England or Ireland as an attorney, solicitor, proctor, or notary public.

(2.) By every person admitted or inrolled in Scotland as a writer to the signet, solicitor, agent, attorney, procurator, or notary public.

(3.) By every other legally qualified person who carries on business in England or Ireland as a conveyancer, special pleader, or draftsman in equity, and is obliged by law to take out such a certificate.

If such person practises or carries on his business	If he has been admitted or inrolled, or has carried on business, for three years or upwards.	If he has not been so long admitted or inrolled, or has not so long carried on business.
In England, within ten miles from the General Post Office in the city of London - - - -	£ 9 0 0	£ 4 10 0
In Scotland, within the city or shire of Edinburgh - - -		
In Ireland, in the city of Dublin, or within three miles therefrom -		
In England, Scotland, or Ireland, beyond the above-mentioned limits	£ 6 0 0	£ 3 0 0

And *see* sections 59, 60, 61, 62, 63, and 64.

	£ s. d.
CERTIFICATE of any goods, wares, or merchandise, having been duly entered inwards, which shall be entered outwards for exportation at the port of importation, or be removed from thence to any other port for the more convenient exportation thereof, where such certificate is issued for enabling any person to obtain a debenture or certificate entitling him to receive any drawback of any duty or duties of customs, or any part thereof - -	0 4 0
CERTIFICATE of the registration of a design -	5 0 0
And *see* section 65.	
CHARTER of resignation, or of confirmation, or of novodamus, or upon apprising, or upon a decreet of adjudication, or sale of any lands, or other heritable subjects in Scotland - - - -	0 5 0
CHARTER-PARTY, or any agreement or contract for the charter of any ship or vessel, or any memorandum, letter, or other writing, between the captain, master, or owner of any ship or vessel, and any other person, for or relating to the freight or conveyance of any money, goods, or effects on board of such ship or vessel - - - -	0 0 6
And *see* sections 66, 67, and 68.	
CLARE CONSTAT. *See* PRECEPT.	
COLLATION. *See* APPOINTMENT, &c. to ecclesiastical benefices.	
COMMISSION granted by Her Majesty, her heirs or successors, or by any person or persons duly authorised by her or them, to any officer in the army, or in the corps of Royal Marines - - -	1 10 0
COMMISSION granted by the Lords Commissioners of the Admiralty to any officer in the navy - -	0 5 0
COMMISSION or DEPUTATION granted by the Commissioners of Inland Revenue - - -	1 10 0
COMMISSION OF LUNACY - - -	0 5 0

	£	s.	d.
COMMISSION to act as a notary public in Scotland. *See* FACULTY.			
COMMISSION in the nature of a power of attorney in Scotland. *See* LETTER OR POWER OF ATTORNEY.			
CONDITIONAL SURRENDER of any copyhold or customary estate by way of mortgage. *See* MORTGAGE, &c., and sections 105 and 110.			
CONGÉ D'ÉLIRE. *See* GRANT.			
CONSTAT of Letters Patent. *See* EXEMPLIFICATION.			
CONTRACT. *See* AGREEMENT.			
CONTRACT NOTE—Any note, memorandum, or writing, commonly called a "contract note," or by whatever name the same may be designated, for or relating to the sale or purchase of any stock or marketable security of the value of 5*l.* or upwards - And *see* section 69.	0	0	1
CONVEYANCE or TRANSFER, whether on sale or otherwise,—			
(1.) Of any stock of the governor and company of the Bank of England - - - -	0	7	9
(2.) Of any stock of the East India Company -	1	10	0
(3.) Of any debenture stock or funded debt of any company or corporation. For every 100*l.*, and also for any fractional part of 100*l.*, of the nominal amount transferred - - -	0	2	6
And *see* section 78.			
CONVEYANCE or TRANSFER on sale, Of any property (*except such stock or debenture stock or funded debt as aforesaid*), Where the amount or value of the consideration for the sale does not exceed 5*l.* - - -	0	0	6
Exceeds 5*l.*, and does not exceed 10*l.* - -	0	1	0
„ 10*l.* „ 15*l.* - -	0	1	6
„ 15*l.* „ 20*l.* - -	0	2	0
„ 20*l.* „ 25*l.* - -	0	2	6
„ 25*l.* „ 50*l.* - -	0	5	0
„ 50*l.* „ 75*l.* - -	0	7	6
„ 75*l.* „ 100*l.* - -	0	10	0
„ 100*l.* „ 125*l.* - -	0	12	6
„ 125*l.* „ 150*l.* - -	0	15	0
„ 150*l.* „ 175*l.* - -	0	17	6
„ 175*l.* „ 200*l.* - -	1	0	0
„ 200*l.* „ 225*l.* - -	1	2	6
„ 225*l.* „ 250*l.* - -	1	5	0
„ 250*l.* „ 275*l.* - -	1	7	6
„ 275*l.* „ 300*l.* - -	1	10	0
„ 300*l.* For every 50*l.*, and also for any fractional part of 50*l.*, of such amount or value - - -	0	5	0
And *see* sections 70, 71, 72, 73, 74, 75, 76, and 77.			
CONVEYANCE or TRANSFER by way of security of any property (*except such stock or debenture stock or funded debt as aforesaid*), or of any security. *See* MORTGAGE, &c.			

	£	s.	d.
CONVEYANCE or TRANSFER of any kind not herein-before described - - - - -	0	10	0
And *see* section 78.			
COPY or EXTRACT (*attested or in any manner authenticated*) of or from—			
(1.) An instrument chargeable with any duty.			
(2.) An original will, testament, or codicil.			
(3.) The probate or probate copy of a will or codicil.			
(4.) Any letters of administration or any confirmation of a testament.			
(5.) Any public register (*except any register of births, baptism, marriages, deaths, or burials*).			
(6.) The books, rolls, or records of any court.			
In the case of an instrument chargeable with any duty not amounting to one shilling - - - - - } The same duty as such instrument.			
In any other case - - - - -	0	1	0
Exemptions.			
(1.) Copy or extract of or from any law proceedings.			
(2.) Copy or extract in Scotland of or from the commission of any person as a delegate or representative to the convention of royal burghs or the general assembly or any presbytery or church court.			
And *see* section 79.			
COPY or EXTRACT (*certified*) of or from any register of births, baptisms, marriages, deaths, or burials - - - - - -	0	0	1
Exemptions.			
(1.) Copy or extract furnished by any clergyman, registrar, or other official person pursuant to and for the purposes of any Act of Parliament, or furnished to any general or superintending registrar under any general regulation.			
(2.) Copy or extract for which the person giving the same is not entitled to any fee or reward.			
And *see* section 80.			
COPYHOLD and CUSTOMARY ESTATES—Instruments relating thereto.			
Upon a sale thereof. *See* CONVEYANCE ON SALE.			
Upon a mortgage thereof. *See* MORTGAGE, &c.			
Upon a demise thereof. *See* LEASE OR TACK.			
Upon any other occasion.			
Surrender or grant made out of court, or the memorandum thereof, and copy of court roll of any surrender or grant made in court - - -	0	10	0
And *see* sections 81, 82, 83, 84, 85, and 86.			

	£	s.	d.
COST BOOK MINES. *See* TRANSFER.			
COUNTERPART. *See* DUPLICATE.			
COVENANT for securing the payment or repayment of money, or the transfer or retransfer of stock. *See* MORTGAGE, &c.			
COVENANT in relation to any annuity upon the original creation and sale thereof. *See* CONVEYANCE ON SALE, and section 75.			
COVENANT in relation to any annuity (*except upon the original creation and sale thereof*) or to other periodical payments. *See* BOND, COVENANT, &c.			
COVENANT. Any separate deed of covenant (*not being an instrument chargeable with ad valorem duty as a conveyance on sale or mortgage*) made on the sale or mortgage of any property, and relating solely to the conveyance or enjoyment of, or the title to, the property sold or mortgaged, or to the production of the muniments of title relating thereto, or to all or any of the matters aforesaid.			
Where the ad valorem duty in respect of the consideration or mortgage money does not exceed 10*s.*	A duty equal to the amount of such ad valorem duty.		
In any other case - - - - -	0	10	0
CURACY (*Perpetual*) licence to hold. Nomination to. *See* APPOINTMENT, &c. to ecclesiastical benefices.			
CUSTOMARY ESTATES. *See* COPYHOLD.			
DEBENTURE for securing the payment or repayment of money or the transfer or retransfer of stock. *See* MORTGAGE, &c.			
DEBENTURE or CERTIFICATE for entitling any person to receive any drawback of any duty or duties, or part of any duty or duties of customs or excise, or any bounty payable out of the revenue of customs or excise, for or in respect of any goods, wares, or merchandise exported or shipped to be exported from any part of the United Kingdom to any part beyond the sea.			
Where the drawback or bounty to be received does not exceed 10*l.* - - - -	0	1	0
Exceeds 10*l.* and does not exceed 50*l.* - -	0	2	6
Exceeds 50*l.* - - - - - -	0	5	0
DECLARATION of any use or trust of or concerning any property by any writing not being a deed or will, or an instrument chargeable with ad valorem duty as a settlement - - - -	0	10	0
DECLARATION (*Statutory*). *See* AFFIDAVIT.			
DECREET ARBITRAL. *See* AWARD.			
DEED whereby any real burden is declared or created on lands or heritable subjects in Scotland. *See* MORTGAGE, &c., and section 105.			

	£	s.	d.
DEED containing an obligation to infeft any person in heritable subjects in Scotland, under a clause of reversion, as a security for money. *See* MORTGAGE, &c., and section 105.			
DEED containing an obligation to infeft or seize in an annuity to be uplifted out of heritable subjects in Scotland. *See* BOND, COVENANT, &c.			
DEED of any kind whatsoever, not described in this schedule - - - - - - -	0	10	0
DEFEAZANCE. Deed or other instrument of defeazance of any conveyance, disposition, assignation, or tack, apparently absolute, but intended only as a security for money or stock. *See* MORTGAGE, &c., and section 105.			
DELIVERY ORDER - - - - - And *see* sections 87, 89, 90, and 91.	0	0	1
DEPOSIT of title deeds. *See* MORTGAGE, &c., and section 105.			
DEPUTATION by the Commissioners of Inland Revenue. *See* COMMISSION.			
DEPUTATION or APPOINTMENT of a gamekeeper - - - - - -	0	10	0
DISPENSATION. *See* FACULTY.			
DISPOSITION of heritable property in Scotland to singular successors or purchasers. *See* CONVEYANCE ON SALE.			
DISPOSITION of heritable property in Scotland to a purchaser, containing a clause declaring all or any part of the purchase money a real burden upon, or affecting, the heritable property thereby disponed, or any part thereof. *See* CONVEYANCE ON SALE, MORTGAGE, &c., and section 105.			
DISPOSITION in Scotland containing constitution of feu or ground annual right. *See* CONVEYANCE ON SALE, and section 72.			
DISPOSITION in security in Scotland. *See* MORTGAGE, &c.			
DISPOSITION of any wadset, heritable bond, &c. *See* MORTGAGE, &c.			
DISPOSITION in Scotland of any property or of any right or interest therein not described in this schedule	0	10	0
DOCK WARRANT. *See* WARRANT FOR GOODS.			
DOCKET made on passing any instrument under the Great Seal of the United Kingdom - - -	0	2	0
DONATION of any ecclesiastical benefice, dignity, or promotion. *See* APPOINTMENT, &c. to ecclesiastical benefices.			
DRAFT for money. *See* BILL OF EXCHANGE, and section 48.			

	£	s.	d.
DUPLICATE or COUNTERPART of any instrument chargeable with any duty.			
Where such duty does not amount to *5s.* - { The same duty as the original instrument.			
In any other case - - - - -	0	5	0
And *see* section 93.			
ECCLESIASTICAL BENEFICE. *See* APPOINTMENT, &c. to ecclesiastical benefices.			
EIK to a reversion. *See* MORTGAGE, &c., and section *105.*			
EXCHANGE or EXCAMBION—Instruments effecting.			
In the case specified in section *94 see* that section.			
In any other case - - - - -	0	10	0
EXEMPLIFICATION or CONSTAT, under the Great Seal of the United Kingdom of Great Britain and Ireland of any letters patent or grant made or to be made by Her Majesty, her heirs or successors, or by any of her royal predecessors of any honour, dignity, promotion, franchise, liberty, or privilege, or of any lands, office, or other thing whatsoever -	5	0	0
EXEMPLIFICATION under the seal of any court in England or Ireland of any record or proceeding therein - - - - - -	3	0	0
EXTRACT. *See* COPY or EXTRACT.			
FACTORY, in the nature of a letter or power of attorney in Scotland.			
See LETTER or POWER of ATTORNEY.			
FACULTY, LICENCE, COMMISSION, or DISPENSATION for admitting or authorising any person to act as a notary public:			
In England - - - - -	30	0	0
In Scotland or Ireland - - - -	20	0	0
FACULTY or DISPENSATION of any other kind:			
In England - - - - -	30	0	0
In Ireland - - - - -	25	0	0
FEU CONTRACT in Scotland. *See* CONVEYANCE ON SALE, and section 72.			
FOREIGN SECURITY. *See* MORTGAGE, &c., and sections 113, 114, and 115.			
FURTHER CHARGE or FURTHER SECURITY. *See* MORTGAGE, &c., and section 109.			
GRANT or LETTERS PATENT under the Great Seal of the United Kingdom of Great Britain and Ireland, or of the Great Seal of Ireland, or the Seal of the Duchy or County Palatine of Lancaster, or under the Seal kept and used in Scotland in place of the Great Seal formerly used there:			
(1.) Of the honour or dignity of a duke - -	350	0	0
,, ,, of a marquis - -	300	0	0
,, ,, of an earl - -	250	0	0
,, ,, of a viscount - -	200	0	0
,, ,, of a baron - -	150	0	0
,, ,, of a baronet - -	100	0	0

	£	s.	d.
(2.) Of a congé d'élire to any dean and chapter for the election of an archbishop or bishop -			
(3.) Of the Royal Assent to, or signification of, the election made by any dean and chapter, or of the nomination and presentation by Her Majesty, her heirs or successors, in default of such election of any person to be an archbishop or bishop - -	30	0	0
(4.) Of or for the restitution of the temporalities to any archbishop or bishop - -			
(5.) Of any other honour, dignity, or promotion whatsoever - - - -			
(6.) Of any franchise, liberty, or privilege to any person or body politic or corporate -			

Exemptions.

(1.) Commissions of rebellion in process.
(2.) Letters patent or briefs for collecting charitable benevolences.
(3.) Letters patent for confirming any dispensation herein-before charged with duty.
(4.) Letters patent appointing sheriffs in England or Ireland, and the writs of assistance accompanying such letters patent.

And *see* section 95.

GRANT or WARRANT OF PRECEDENCE to take rank among nobility, under the sign manual of Her Majesty, her heirs or successors - - - 100 0 0

GRANT or LICENCE under the sign manual to take and use a surname and arms, or a surname only.

In compliance with the injunctions of any will or settlement - - - - - 50 0 0

Upon any voluntary application - - - 10 0 0

GRANT of arms or armorial ensigns only, under the sign manual, or by any of the Kings of Arms of England, Scotland, or Ireland - - - 10 0 0

GRANT of copyhold or customary estates. *See* CONVEYANCE—COPYHOLD.

GRANT of the custody of the person or estate of any lunatic - - - - - - 2 0 0

HERITABLE BOND. *See* MORTGAGE, &c., and section 105.

INSTITUTION. *See* APPOINTMENT, &c. to ecclesiastical benefices.

INVENTORY. *See* SCHEDULE.

LEASE or TACK—

(1.) For any definite term less than a year:

(*a.*) Of any dwelling-house or tenement, or part of a dwelling-house or tenement, at a rent not exceeding the rate of 10*l.* per annum - 0 0 1

(*b.*) Of any furnished dwelling-house or apartments where the rent for such term exceeds 25*l.* - - - - - - 0 2 6

(*c.*) Of any lands, tenements, or heritable subjects except or otherwise than as aforesaid - - - - The same duty as a lease for a year at the rent reserved for the definite term.

(2.) For any other definite term or for any indefinite term:

Of any lands, tenements, or heritable subjects—

Where the consideration, or any part of the consideration, moving either to the lessor or to any other person, consists of any money, stock, or security:

In respect of such consideration - The same duty as a conveyance on a sale for the same consideration.

Where the consideration or any part of the consideration is any rent:

In respect of such consideration:

If the rent, whether reserved as a yearly rent or otherwise, is at a rate or average rate:

	If the term is definite, and does not exceed 35 years, or is indefinite.			If the term being definite exceeds 35 years, but does not exceed 100 years.			If the term being definite exceeds 100 years.		
	£	s.	d.	£	s.	d.	£	s.	d.
Not exceeding 5*l.* per annum	0	0	6	0	3	0	0	6	0
Exceeding—									
5*l.* and not exceeding 10*l.*	0	1	0	0	6	0	0	12	0
10*l.* „ „ 15*l.*	0	1	6	0	9	0	0	18	0
15*l.* „ „ 20*l.*	0	2	0	0	12	0	1	4	0
20*l.* „ „ 25*l.*	0	2	6	0	15	0	1	10	0
25*l.* „ „ 50*l.*	0	5	0	1	10	0	3	0	0
50*l.* „ „ 75*l.*	0	7	6	2	5	0	4	10	0
75*l.* „ „ 100*l.*	0	10	0	3	0	0	6	0	0
100*l.*									
For every full sum of 50*l.*, and also for any fractional part of 50*l.* thereof -	0	5	0	1	10	0	3	0	0

(3.) Of any other kind whatsoever not herein-before described - - - - - 0 10 0

And *see* sections 96, 97, 98, 99, and 100.

LETTER OF ALLOTMENT or LETTER OF RENUNCIATION, or any other document having the effect of a letter of allotment:

(1.) Of any share of any company or proposed company - - - - -

(2.) In respect of any loan raised, or proposed to be raised, by any company or proposed company, or by any municipal body or corporation - - - -

(3.) Issued or delivered in the United Kingdom, of any share of any foreign or colonial company or proposed company, or in respect of any loan raised or proposed to be raised by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company - - - 0 0 1

	£	s.	d.
And SCRIP CERTIFICATE, SCRIP, or other document:			
(1.) Entitling any person to become the proprietor of any share of any company or proposed company - - - - -			
(2.) Issued or delivered in the United Kingdom, and entitling any person to become the proprietor of any share of any foreign or colonial company or proposed company -			
(3.) Denoting, or intended to denote, the right of any person as a subscriber in respect of any loan raised or proposed to be raised by any company or proposed company, or by any municipal body or corporation - - - - - -	*0*	*0*	*1*
(4.) Issued or delivered in the United Kingdom, and denoting, or intended to denote, the right of any person as a subscriber in respect of any loan raised or proposed to be raised by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company - - -			
And *see* section 101.			
LETTER OR POWER OF ATTORNEY, or COMMISSION, FACTORY, MANDATE, or other instrument in the nature thereof:			
(1.) For the sole purpose of appointing or authorising any one person to vote as a proxy at any one meeting at which votes may be given by proxy - - - - -	0	0	1
(2.) By any petty officer, seaman, marine or soldier serving as a marine, or by the executors or administrators of any such person, for receiving prize money or wages - -	0	1	0
(3.) For the receipt of the dividends or interest of any stock:			
Where made for the receipt of one payment only - - - -	0	1	0
In any other case - - -	0	5	0
(4.) For the receipt of any sum of money, or any bill of exchange or promissory note for any sum of money, not exceeding 20*l.*, or any periodical payments not exceeding the annual sum of 10*l.* (*not being herein-before charged*) - - - - - -	0	5	0
(5.) For the sale, transfer, or acceptance of any of the Government or Parliamentary stocks or funds:			
Where the value of such stocks or funds does not exceed 20*l.* - - - -	0	5	0
In any other case - - -	0	10	0
(6.) Of any kind whatsoever not herein-before described - - - - -	0	10	0

	£	s.	d.
Exemptions.			
(1.) Letter or power of attorney for the receipt of dividends of any definite and certain share of the Government or Parliamentary stocks or funds producing a yearly dividend of less than 3*l.*			
(2.) Letter or power of attorney or proxy filed in the Court of Probate in England or Ireland, or in any ecclesiastical court.			
(3.) Letter or power of attorney for voting on any election of directors of the East India Company.			
And *see* sections 102, 103, and 104.			
LETTERS OF MARQUE AND REPRISAL -	5	0	0
LETTERS PATENT. *See* GRANT.			
LETTER OF REVERSION in Scotland. *See* MORTGAGE, &c., and section 105.			
LICENCE for Marriage.			
Special—			
In England or Ireland - - -	5	0	0
Not special—			
In England - - - -	0	10	0
LICENCE under the seal of any archbishop, bishop, chancellor, or other ordinary, or by any ecclesiastical court in England or Ireland, or by any presbytery or other ecclesiastical power in Scotland:			
(1.) To hold the office of lecturer, reader, chaplain, church clerk, chapel clerk, parish clerk, or sexton - - - - -			
(2.) For licensing a building for the performance of divine service within an ecclesiastical district formed under the provisions of The New Parishes Act - - - -			
(3.) For licensing any chapel for the solemnization of marriages therein, pursuant to the provisions of the Act 6 & 7 Will. 4. c. 85.	0	10	0
(4.) For licensing or authorising any matter relating to a consecrated building or ground, or anything to be constructed, set up, taken down, or altered therein, or to be removed therefrom - - - - -			
(5.) For any other purpose (*except a licence to hold a perpetual curacy*) - - -	2	0	0
Exemptions.			
(1.) Licence granted to any spiritual person to perform divine service in any building approved by the archbishop or bishop in lieu of any church or chapel whilst the same is under repair or is rebuilding, or in any building so approved for the convenience of the inhabitants of a parish resident at a distance from the church or consecrated chapel.			
(2.) Licence to a stipendiary curate, wherein the annual amount of the stipend is specified.			

	£	s.	d.
(3.) Licence for the purpose of authorising or enabling any person to preach or exercise any other spiritual function, not being a licence to hold the office of lecturer, reader, or chaplain, and there being no salary or emolument for or attached to the exercise of the function for which such licence is granted.			

LICENCE to act as a notary public. *See* FACULTY.

LICENCE to use surname or arms. *See* GRANT.

MARRIAGE CONTRACT. *See* SETTLEMENT.

MARRIAGE LICENCE. *See* LICENCE.

MEMORIAL to be registered pursuant to any Act of Parliament, made or to be made, for the public registering of deeds and conveyances in England or Ireland:

Where the instrument registered is chargeable with any duty not amounting to 2*s.* 6*d.* -	The same duty as the registered instrument.		
In any other case - - - -	0	2	6

MORTGAGE, BOND, DEBENTURE, COVENANT, WARRANT OF ATTORNEY to confess and enter up judgment, and FOREIGN SECURITY of any kind.

(1.) Being the only or principal or primary security for—

The payment or repayment of money not exceeding 25*l.* - - -	0	0	8
Exceeding 25*l.* and not exceeding 50*l.* -	0	1	3
„ 50*l.* „ 100*l.* -	0	2	6
„ 100*l.* „ 150*l.* -	0	3	9
„ 150*l.* „ 200*l.* -	0	5	0
„ 200*l.* „ 250*l.* -	0	6	3
„ 250*l.* „ 300*l.* -	0	7	6
„ 300*l.*			
For every 100*l.*, and also for any fractional part of 100*l.*, of such amount - -	0	2	6

(2.) Being a collateral, or auxiliary, or additional, or substituted security, or by way of further assurance for the above-mentioned purpose where the principal or primary security is duly stamped:

For every 100*l.*, and also for any fractional part of 100*l.*, of the amount secured - - - -	0	0	6

(3.) TRANSFER, ASSIGNMENT, DISPOSITION, or ASSIGNATION of any mortgage, bond, debenture, covenant, or foreign security, or of any money or stock secured by any such instrument, or by any warrant of attorney to enter up judgment, or by any judgment:

For every 100*l.*, and also for any fractional part of 100*l.*, of the amount transferred, assigned, or disponed -	0	0	6
And also where any further money is added to the money already secured -	The same duty as a principal security for such further money.		

	£	s.	d.
(4.) RECONVEYANCE, RELEASE, DISCHARGE, SURRENDER, RESURRENDER, WARRANT TO VACATE, or RENUNCIATION of any such security as aforesaid, or of the benefit thereof, or of the money thereby secured: For every 100*l.*, and also for any fractional part of 100*l.*, of the total amount or value of the money at any time secured - - - -	0	0	6
And *see* sections 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, and 115.			
MUTUAL DISPOSITION or Conveyance in Scotland. *See* EXCHANGE or EXCAMBION.			
NOTARIAL ACT of any kind whatsoever (*except a protest of a bill of exchange or promissory note, or any notarial instrument to be expeded and recorded in any register of sasines*) - - -	0	1	0
And *see* PROTEST, SEISIN, and section 116.			
ORDER for the payment of money. *See* BILL OF EXCHANGE and section 48.			
PARTITION or DIVISION—Instruments effecting. In the case specified in section 94, *see* that section.			
In any other case - - - - -	0	10	0
PASSPORT - - - - -	0	0	6
PERPETUAL CURACY. *See* APPOINTMENT, &c. to Ecclesiastical Benefices.			
POLICY OF INSURANCE—			
(1.) Upon any life or lives, or upon any event or contingency relating to or depending upon any life or lives (*except for the payment of money upon the death of any person only from accident or violence, or otherwise than from a natural cause*):			
Where the sum insured does not exceed 10*l.*	0	0	1
Exceeds 10*l.* but does not exceed 25*l.* -	0	0	3
Exceeds 25*l.* but does not exceed 500*l.*: For every full sum of 50*l.* and also for any fractional part of 50*l.* of the amount insured - - - - -	0	0	6
Exceeds 500*l.* but does not exceed 1,000*l.*: For every full sum of 100*l.*, and also for any fractional part of 100*l.*, of the amount insured - - -	0	1	0
Exceeds 1,000*l.*: For every full sum of 1,000*l.*, and also for any fractional part of 1,000*l.* of the amount insured - - -	0	10	0
(2.) For any payment agreed to be made upon the death of any person, only from accident or violence, or otherwise than from a natural cause, or as compensation for personal injury, or by way of indemnity against loss or damage of or to any property - - -	0	0	1
And *see* sections 117, 118, and 119.			
POWER OF ATTORNEY. *See* LETTER OF ATTORNEY.			

	£	s.	d.
PRECEPT OF CLARE CONSTAT to give seisin of lands or other heritable subjects in Scotland -	0	5	0
PRESENTATION to any ecclesiastical benefice, dignity, or promotion. *See* APPOINTMENT, &c. to Ecclesiastical Benefices.			
PROCURATION, deed, or other instrument of -	0	10	0
PROMISSORY NOTE. *See* BANK NOTE, BILL OF EXCHANGE, and section 49.			
PROTEST of any bill of exchange or promissory note:			
Where the duty on the bill or note does not exceed 1*s.* - - - - - -	The same duty as the bill or note.		
In any other case - - - -	0	1	0
And *see* section 116.			
PROXY. *See* LETTER OR POWER OF ATTORNEY.			
RECEIPT given for, or upon the payment of, money amounting to 2*l.* or upwards - - -	0	0	1

Exemptions.

(1.) Receipt given for money deposited in any bank, or with any banker, to be accounted for and expressed to be received of the person to whom the same is to be accounted for.

(2.) Acknowledgment by any banker of the receipt of any bill of exchange or promissory note for the purpose of being presented for acceptance or payment.

(3.) Receipt given for or upon the payment of any parliamentary taxes or duties, or of money to or for the use of Her Majesty.

(4.) Receipt given by the Accountant General of the Navy for any money received by him for the service of the navy.

(5.) Receipt given by any agent for money imprested to him on account of the pay of the army.

(6.) Receipt given by any officer, seaman, marine or soldier, or his representatives, for or on account of any wages, pay or pension, due from the Admiralty or Army Pay Office.

(7.) Receipt given for the consideration money for the purchase of any share in any of the Government or Parliamentary stocks or funds, or in stock of the East India Company, or in the stocks and funds of the Secretary of State in Council of India, or of the governor and company of the Bank of England, or of the Bank of Ireland, or for any dividend paid on any share of the said stocks or funds respectively.

(8.) Receipt given for any principal money or interest due on an exchequer bill.

(9.) Receipt written upon a bill of exchange or promissory note duly stamped.

	£	s.	d.
(10.) Receipt given upon any bill or note of the governor and company of the Bank of England or the Bank of Ireland.			
(11.) Receipt indorsed or otherwise written upon or contained in any instrument liable to stamp duty, and duly stamped, acknowledging the receipt of the consideration money therein expressed, or the receipt of any principal money, interest, or annuity thereby secured or therein mentioned.			
(12.) Receipt given for drawback or bounty upon the exportation of any goods or merchandise from the United Kingdom.			
(13.) Receipt given for the return of any duties of customs upon certificates of over entry.			
(14.) Receipt indorsed upon any bill drawn by the Lords Commissioners of the Admiralty, or by any person under their authority, or under the authority of any Act of Parliament upon and payable by the Accountant General of the Navy.			
And *see* sections 120, 121, 122, and 123.			
RECONVEYANCE, RELEASE, or RENUNCIATION of any security. *See* MORTGAGE, &c.			
RELEASE or RENUNCIATION of any property, or of any right or interest in any property—			
Upon a sale. *See* CONVEYANCE ON SALE.			
By way of security. *See* MORTGAGE, &c.			
In any other case - - - - -	0	10	0
RENUNCIATION. *See* RECONVEYANCE and RELEASE.			
RESIGNATION. Principal or original instrument of resignation, or service of cognition of heirs, or charter or seisin of any houses, lands, or other heritable subjects in Scotland holding burgage, or of burgage tenure - - - - -	0	5	0
And instrument of resignation of any lands or other heritable subjects in Scotland not of burgage tenure	0	5	0
REVOCATION of any use or trust of any property by deed, or by any writing, not being a will - -	0	10	0
SCHEDULE INVENTORY, or document of any kind whatsoever, referred to in or by, and intended to be used or given in evidence as part of, or as material to, any other instrument charged with any duty, but which is separate and distinct from, and not indorsed on or annexed to, such other instrument:			
Where such other instrument is chargeable with any duty not exceeding 10*s.* - - - -	The same duty as such other instrument.		
In any other case - - - - - -	0	10	0
Exemptions.			
(1.) Printed proposals published by any corporation or company respecting insurances, and referred to in or by any policy of insurance issued by such corporation or company.			

	£	s.	d.
(2.) Any public map, plan, survey, apportionment, allotment, award, and other parochial or public document and writing, made under or in pursuance of any Act of Parliament, and deposited or kept for reference in any registry, or in any public office, or with the public books, papers, or writings of any parish.			
SCRIP CERTIFICATE or SCRIP. *See* LETTER OF ALLOTMENT.			
SEISIN. Instrument of seisin given upon any charter, precept of clare constat, or precept from chancery, or upon any wadset, heritable bond, disposition, apprizing, adjudication or otherwise of any lands or heritable subjects in Scotland not of burgage tenure - - - - - - -	0	5	0
And any NOTARIAL INSTRUMENT to be expeded and recorded in any register of sasines - -	0	5	0
SETTLEMENT. Any instrument, whether voluntary or upon any good or valuable consideration, other than a bonâ fide pecuniary consideration, whereby any definite and certain principal sum of money (whether charged or chargeable on lands or other hereditaments or heritable subjects, or not, or to be laid out in the purchase of lands or other hereditaments or heritable subjects or not), or any definite and certain amount of stock, or any security, is settled or agreed to be settled in any manner whatsoever:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the amount or value of the property settled or agreed to be settled - - -	0	5	0
Exemption.			
Instrument of appointment relating to any property in favour of persons specially named or described as the objects of a power of appointment, created by a previous settlement stamped with ad valorem duty in respect of the same property, or by will, where probate duty has been paid in respect of the same property as personal estate of the testator.			
And *see* sections 124, 125, and 126.			
SHARE WARRANT issued under the provisions of "The Companies Act, 1867."			
See section 33 of that Act, CONVEYANCE ON SALE, and section 127 of this Act.			
SURRENDER—			
Of copyholds. *See* COPYHOLD.			
Of any other kind whatsoever not chargeable with duty as a conveyance on sale or mortgage -	0	10	0
TACK of lands, &c. in Scotland. *See* LEASE or TACK.			
TACK IN SECURITY. *See* MORTGAGE, &c.			
TRANSFER. *See* CONVEYANCE or TRANSFER.			
TRANSFER. Any request or authority to the purser or other officer of any mining company, conducted on the cost book system, to enter or register any			

	£	s.	d.
transfer of any share, or part of a share, in any mine, or any notice to such purser or officer of any such transfer - - - - - - -	0	0	6

And *see* section 128.

VALUATION. *See* APPRAISEMENT.

VOTING PAPER. Any instrument for the purpose of voting by any person entitled to vote at any meeting - - - - - - - 0 0 1

And *see* section 102.

WADSET. *See* MORTGAGE, &c.

WARRANT OF ATTORNEY to confess and enter up a judgment given as a security for the payment or repayment of money, or for the transfer or re-transfer of stock.

See MORTGAGE, &c.

WARRANT OF ATTORNEY of any other kind - 0 10 0

WARRANT FOR GOODS - - - 0 0 3

Exemptions.

(1.) Any document or writing given by any inland carrier acknowledging the receipt of goods conveyed by such carrier.

(2.) A weight note issued together with a duly stamped warrant, and relating solely to the same goods, wares, or merchandise.

And *see* sections 88, 89, and 92.

WARRANT under the sign manual of Her Majesty, her heirs or successors - - - - - 0 10 0

WRIT—

(1.) Of ACKNOWLEDGMENT under "The Registration of Leases (*Scotland*) Act" -

(2.) Of ACKNOWLEDGMENT by any person infeft of lands in Scotland in favour of the heir or disponee of a creditor fully vested in right of an heritable security constituted by infeftment - - - - } 0 5 0

(3.) Of RESIGNATION, CONFIRMATION, CLARE CONSTAT, or INVESTITURE under "The Titles to Land Consolidation (*Scotland*) Act, 1868" - - - -

GENERAL EXEMPTIONS FROM ALL STAMP DUTIES.

(1.) Transfers of shares in the Government or Parliamentary stocks or funds.

(2.) Instruments for the sale, transfer, or other disposition either absolutely or by way of mortgage, or otherwise, of any ship or vessel, or any part, interest, share, or property of or in any ship or vessel.

(3.) Instruments of apprenticeship, bonds, contracts, and agreements entered into in the United Kingdom for or relating to the service in any of Her Majesty's colonies or possessions abroad of any person as an artificer, clerk, domestic servant, handicraftsman, mechanic, gardener, servant in husbandry, or labourer.

(4.) Testaments, testamentary instruments, and dispositions mortis causâ in Scotland.
(5.) Bonds given to sheriffs or other persons upon the replevy of any goods or chattels, and assignments of such bonds.
(6.) Commissions granted to officers of militia, yeomanry, or volunteers.
(7.) Instruments made by, to, or with the Commissioners or the First Commissioner, of Her Majesty's Works and Public Buildings, for any of the purposes of the Act 15 and 16 Vict. c. 28.

CHAP. 98.

An Act for consolidating and amending the Law relating to the Management of Stamp Duties.

[10th August 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; that is to say,

Short title and commencement of Act.

1. This Act may be cited as "The Stamp Duties Management Act, 1870," and shall come into operation on the first day of January 1871.

Interpretation of terms.

2. In the construction and for the purposes of this Act the following words and terms have the meanings hereby assigned to them, unless it is otherwise provided, or there be something in the context repugnant thereto:

(1.) "The Commissioners" means the Commissioners of Inland Revenue:
(2.) "The chief office" means the chief office of Inland Revenue:
(3.) "Head offices" means the head offices of Inland Revenue in Edinburgh and Dublin:
(4.) "Duty," "duties," mean the stamp duty and stamp duties from time to time chargeable by law:
(5.) "Material" means and includes every sort of material upon which words or figures can be expressed:
(6.) "Write," "written," and "writing," include every mode in which words or figures can be expressed upon material:
(7.) "Instrument" means and includes every written document:
(8.) "Die" means and includes any plate, type, tool, or implement whatever used under the direction of the Commissioners for expressing or denoting any duty, or the fact that any duty or penalty has been paid, or that an instrument is duly stamped, or is not chargeable with any duty, and also any part of any such plate, type, tool, or implement:

(9.) "Forge," "forged," mean and include counterfeit, counterfeited:

(10.) "Stamp," "stamps," mean as well stamps impressed by means of a die as adhesive stamps:

(11.) "Stamped" is applicable as well to instruments and material impressed with stamps by means of a die, as to instruments and material having adhesive stamps affixed thereto:

(12.) "Executed," "execution," with reference to instruments not under seal, mean signed, signature:

(13.) "Person" includes corporation, company, and society.

Duties to be managed by the Commissioners.

3. The duties shall be under the care and management of the Commissioners, who shall have all necessary powers and authorities for carrying this Act into execution, and shall observe and obey in relation thereto the directions of the Commissioners of Her Majesty's Treasury.

Former references to stamp duties to apply to this Act.

4. Where by any Act heretofore passed reference is made to the enactments relating to stamp duties in force at the time of the passing of such Act, such reference shall after the passing of this Act be read and construed as a reference to this Act, instead of the said enactments.

As to licences to deal in stamps.

5. The Commissioners may, at their discretion, grant a licence to any person to deal in stamps at any place or places in the United Kingdom to be named in such licence, and every person to whom any such licence is granted shall enter into a bond (which shall be exempt from stamp duty) to Her Majesty, her heirs or successors, in a penal sum of one hundred pounds, with a condition that such licensed person does not sell or offer for sale or exchange, or keep or have in his possession for the purpose of sale or exchange, any stamps other than such as he has purchased or procured at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps, or duly licensed to deal in stamps: Provided that one licence and one bond only shall be required for any number of persons in co-partnership, and any such licence may at any time be revoked by the Commissioners.

As to the contents and effect of a licence.

6. Every licence to be granted as aforesaid is to specify the proper Christian name and surname and place of abode of the person to whom the same is granted, and is to contain a true description of every house or shop in or at which he is by such licence authorised to deal in stamps; and such person shall not be thereby authorised or entitled to deal in stamps in or at any house, shop, or place not specified and described in his licence.

Penalty for unauthorised dealing in stamps, 20*l.*,

7. (1.) Every person who—

(*a.*) Not being duly appointed to sell and distribute stamps, or duly licensed to deal in stamps, deals in any manner in stamps, in any part of the United Kingdom;

(*b.*) Being duly licensed to deal in stamps, deals in any manner in stamps at any house, shop, or place not specified and described in his licence,

shall for every such offence forfeit the sum of twenty pounds:

(2.) If in any proceeding for recovery of the said penalty of twenty pounds it appears that any stamp which has been sold or exchanged, or offered for sale or exchange, is forged, although the same may not have been so alleged in the information or pleading, the said penalty of twenty pounds shall be doubled, and judgment shall be given against the offender for the sum of forty pounds, and the special matter shall be stated in the judgment as the cause of such increase of penalty: and in the case of a forged stamp, 40*l.*

(3.) If on any such proceeding any issue is tried by a jury in which the selling or exchanging, or offering for sale or exchange, of any stamp, is in question, the jury shall be required to say whether such stamp is forged or not:

(4.) Provided that nothing in this section contained shall exempt any person from the legal consequences of selling, uttering, or having in possession any forged stamp, knowing the same to be forged. Proviso.

8. Every person who is licensed to deal in stamps shall cause to be painted at full length, in Roman capital letters, one inch at least in height, and of a proper and proportionate breadth, on some conspicuous place on the outside of the front of every house or shop in or at which he is licensed to deal in stamps, and so that the same may be at all times plainly and distinctly visible and legible, his Christian name and surname, together with the words "Licensed to sell stamps," and shall continue such names and words so painted as aforesaid during all the time that he continues licensed as aforesaid, and for every neglect or omission in any of such matters shall forfeit the sum of ten pounds. How licence to be notified. Penalty 10*l.*

9. If any person who is not duly appointed to sell and distribute stamps, or duly licensed to deal in stamps, writes, paints, or marks, or causes or procures to be written, painted, or marked, or permits or suffers to continue written, painted, or marked, upon any part of his house or shop, either in the inside or on the outside thereof, or upon any board or any material whatever exposed to public view, and whether the same be affixed to his house or shop or not, any word or words importing or signifying, or intended to import or signify, that he is a dealer in stamps, he shall forfeit the sum of ten pounds for every day on which such offence is committed or continued. Penalty on unauthorised persons holding themselves out as dealers in stamps. 10*l.*

10. (1.) If any person licensed to deal in stamps dies or becomes bankrupt, or if the licence of any person to deal in stamps expires or is revoked, and any such person at the time Provisions as to the determination of a licence.

of his death or bankruptcy, or at the expiration or revocation of his licence, has in his possession any stamps, such person, or his executor or administrator, or the trustee under his bankruptcy, may, within three months after the expiration or revocation of such licence, or next after such death or bankruptcy, as the case may be, bring or send such stamps to the chief office or to one of the head offices:

(2.) The Commissioners may in any such case pay to the person bringing or sending any stamps the amount of the duty thereon, deducting therefrom the proper discount:

(3.) Provided that the person who brings or sends such stamps makes proof to the satisfaction of the Commissioners—

(*a.*) That the same were actually in the possession of the person so dying or becoming bankrupt, or whose licence has expired or been revoked, for the purpose of sale, at the time when such person died or became bankrupt, or when such licence expired or was revoked;

(*b.*) That such stamps were purchased or procured by the person to whom such licence was granted at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps, or duly licensed to deal in stamps.

Penalty for hawking stamps, 20*l.*

11. (1.) If any person, whether licensed to deal in stamps or not, hawks or carries about, or offers for sale or exchange, any stamps, he shall forfeit the sum of twenty pounds, over and above any penalty to which, if unlicensed, he may be liable for dealing in stamps without a licence; and it shall be lawful for any person, without any other warrant than this Act, to apprehend any person so offending, and take him or cause him to be taken before a justice of the peace having jurisdiction where the offence is committed, who shall hear and determine the matter; and if the offender does not immediately on his conviction pay the said penalty of twenty pounds, he shall be committed to prison for any period not less than one month nor more than three months, unless the penalty be sooner paid:

Mode of proceeding.

(2.) All stamps which are found in the possession of any such offender shall be forfeited and shall be taken possession of by the justice, and delivered to the Commissioners, to be disposed of as they think fit:

(3.) If the offender is not apprehended and proceeded against in the manner herein-before mentioned, the said penalty of twenty pounds is to be recoverable in the same manner as any other penalty hereby imposed.

Postage stamps.

12. Notwithstanding anything in this Act contained, it shall be lawful for any person in the service or employment of the Post Office, without any other licence or authority than this Act, to sell postage stamps at any place, and to carry postage stamps about for sale.

13. Upon the sale of stamps such discount shall be allowed to the purchasers thereof as the Commissioners of Her Majesty's Treasury shall direct. Discount.

14. Subject to such regulations as the Commissioners may think proper to make, and to the production of such evidence by affidavit or otherwise as the Commissioners may require, allowance is to be made by the Commissioners for stamps spoiled in the cases herein-after mentioned; (that is to say,) Allowance for spoiled stamps.

(1.) The stamp on any material inadvertently and undesignedly spoiled, obliterated, or by any means rendered unfit for the purpose intended, before any instrument written thereon is executed by any party, and for which stamp no money or other consideration has been paid or given to the attorney, solicitor, or other person employed to transact the business intended to have been carried into execution thereby, or to the person by whom the same was written:

(2.) Any adhesive stamp which has never been used or affixed to any material, but which has been inadvertently and undesignedly spoiled or rendered unfit for use:

(3.) The stamp used or intended to be used for any bill of exchange or promissory note signed by or on behalf of the drawer or intended drawer, but not delivered out of his hands to the payee or intended payee, or any person on his behalf, or deposited with any person as a security for the payment of money, or in any way negotiated, issued, or put in circulation, or made use of in any other manner whatever, and which being a bill of exchange has not been accepted by the drawee, and provided that the material on which any such stamp is impressed does not bear any signature intended as or for the acceptance of any bill of exchange to be afterwards written thereon:

(4.) The stamp used or intended to be used for any bill of exchange or promissory note signed by or on behalf of the drawer thereof, but which from any omission or error has been spoiled or rendered useless, although the same, being a bill of exchange, may have been presented for acceptance or accepted or indorsed, or, being a promissory note, may have been delivered to the payee, provided that another completed and duly stamped bill of exchange or promissory note is produced identical in every particular, except in the correction of such error or omission as aforesaid, with the spoiled bill or note:

(5.) The stamp used for any of the following instruments, that is to say,

(*a.*) The presentation to an ecclesiastical benefice not followed by institution:

(*b.*) An instrument executed by any party thereto, but afterwards found to be absolutely void in law from the beginning:

(*c.*) An instrument executed by any party thereto, but afterwards found unfit by reason of any error or mistake therein for the purpose originally intended:

(*d.*) An instrument executed by any party thereto, but which by reason of the death of any person by whom it is necessary that it should be executed without having executed the same, or of the refusal of any such person to execute the same, or to advance any money intended to be thereby secured, cannot be completed so as to effect the intended transaction in the form proposed:

(*e.*) An instrument executed by any party thereto which for want of the execution thereof by some material and necessary party, and his inability or refusal to sign the same, is in fact incomplete and insufficient for the purpose for which it was intended:

(*f.*) An instrument executed by any party thereto, which by reason of the refusal of any person to act under the same, or by the refusal or non-acceptance of any office thereby granted, totally fails of the intended purpose:

(*g.*) An instrument executed by any party thereto, which for want of enrolment or registration within the time required by law becomes null and void:

(*h.*) An instrument executed by any party thereto, which becomes useless in consequence of the transaction intended to be thereby effected being effected by some other instrument duly stamped:

(*i.*) An instrument executed by any party thereto which is inadvertently and undesignedly spoiled, and in lieu whereof another instrument made between the same parties and for the same purpose is executed and duly stamped:

Provided as follows:

(1.) That in the case of an executed instrument,

(*a.*) The instrument is given up to be cancelled:

(*b.*) The application for relief is made within six months after the date of the instrument, or, if it is not dated, within six months after the execution thereof by the person

by whom it was first or alone executed, except where from unavoidable circumstances any instrument for which another instrument has been substituted cannot be given up to be cancelled within the aforesaid period, and in that case within six months after the date or execution of the substituted instrument, and except where the spoiled instrument has become void for want of enrolment or registration, and in that case within six months next after it has so become void, and except also where the spoiled instrument has been sent abroad, and in that case within six months after it has been received back in any part of the United Kingdom:

(*c.*) No action has been brought or suit commenced in which the instrument could or would have been given or offered in evidence:

(2.) That in the case of stamped material, not having any executed instrument written thereon, and of an adhesive stamp not affixed to any material, the application for relief is made within six months after the stamp has been spoiled as aforesaid.

Allowance for misused stamps.

15. When any person has inadvertently used for an instrument liable to duty a stamp of greater value than was necessary, or has inadvertently used any stamp for an instrument not liable to any duty, the Commissioners may, on application made within six months after the date of the instrument, or, if it is not dated, within six months after the execution thereof by the person by whom it was first or alone executed, and upon the instrument, if liable to any duty, being restamped with the proper duty, cancel and allow as spoiled the stamp so misused.

Allowance how to be made.

16. In any case in which allowance is made for spoiled or misused stamps the Commissioners may give in lieu thereof other stamps of the same denomination and value, or if required, and they think proper, stamps of any other denomination to the same amount in value, or, at their discretion, the same value in money, deducting the proper allowance on the purchase of stamps of the like description.

Stamps not wanted may be repurchased by the Commissioners.

17. When any person is possessed of a stamp which has not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Commissioners may, if they in their discretion think fit, repay to him the amount or value of such stamp in money, deducting the proper discount, upon his delivering up the stamp to be cancelled, and proving to their satisfaction that it was purchased by him with a bonâ fide intention to use it, and that he has paid the full value thereof without any deduction (except only the amount of such discount), and that the stamp

was so purchased within the period of six months next preceding the application at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps or duly licensed to deal in stamps.

Criminal offences relating to stamps.

18. Any person who does, or causes or procures to be done, or knowingly aids, abets, or assists in doing, any of the acts following, that is to say,

(1.) Forging a die or stamp;

(2.) Making an impression upon any material with a forged die;

(3.) Fraudulently cutting, tearing, or in any way removing from any material any stamp, with the intent that any use should be made of such stamp or of any part thereof;

(4.) Fraudulently mutilating any stamp, with intent that any use should be made of any part of such stamp;

(5.) Fraudulently fixing or placing upon any material or upon any stamp, any stamp or part of a stamp which, whether fraudulently or not, has been cut, torn, or in any way removed from any other material, or out of or from any other stamp;

(6.) Fraudulently erasing or otherwise either really or apparently removing from any stamped material any name, sum, date, or other matter or thing whatsoever thereon written, with the intent that any use should be made of the stamp upon such material;

(7.) Knowingly selling or exposing for sale or uttering or using any forged stamp;

(8.) Knowingly, and without lawful excuse (the proof of which lawful excuse lies on the person accused) having in possession any forged die or stamp, or any stamp or part of a stamp which has been fraudulently cut, torn, or otherwise removed from any material, or any stamp which has been fraudulently mutilated, or any stamped material out of which any name, sum, date, or other matter or thing has been fraudulently erased or otherwise either really or apparently removed,

is guilty of felony, and upon being convicted shall be liable to be subjected to penal servitude for the term of his natural life or for any term not less than five years, or to be imprisoned for any term not exceeding three years.

Proceedings for the detection of forged dies, &c.

19. On information given before any justice of the peace upon oath that there is just cause to suspect any person of being guilty of any of the offences aforesaid, such justice may, by a warrant under his hand, cause every dwelling-house, room, workshop, outhouse, or other building or place belonging to or occupied by the suspected person, or where he is suspected of being or having been in any way engaged or concerned in the commission of any such offence, or of secreting any forged die or stamp, or any machinery, imple-

ments, or utensils applicable to the commission of any such offence, to be searched, and if upon such search any of the said several matters and things are found the same may be seized and carried away, in order that they may be produced in evidence against any offender, and shall afterwards, whether produced in evidence or not, by order of the court or judge before whom such offender is tried, or in case there shall be no such trial, by order of some justice of the peace, be delivered over to the Commissioners, to be defaced or destroyed or otherwise disposed of as they may think fit.

Further proceedings for the detection of forged stamps.

20. (1.) Upon information given to the Commissioners that there is reasonable cause to suspect that any person appointed to sell and distribute stamps, or being or having been licensed to deal in stamps, has in his possession any forged stamps, the Commissioners may by warrant under their hands authorise any person to enter between the hours of nine in the morning and seven in the evening into any dwelling-house, room, shop, warehouse, outhouse, or other building of or belonging to any such suspected person; and if on demand of admittance, and notice of such warrant, the door of any such dwelling-house, room, shop, warehouse, outhouse, or other building, or any inner door thereof, is not opened, then such authorised person may break open the same respectively, and search for and seize any stamps that may be found in any such place as aforesaid, or elsewhere in the custody or possession of such suspected person.

(2.) All constables and other peace officers are hereby required, upon the request of any person acting under such warrant, to aid and assist in the execution thereof.

Penalty for resisting, obstructing, or refusing to assist, 50*l.*

(3.) Any person who—

(*a.*) Refuses to permit any such search or seizure to be made as aforesaid;

(*b.*) Assaults, opposes, molests, or obstructs any person employed or acting in the execution or under the authority of any such warrant, or aiding or assisting in the execution thereof;

and every constable or peace officer who upon any such request as aforesaid, refuses or neglects to aid and assist in the execution of any such warrant as aforesaid,

shall forfeit the sum of fifty pounds.

Mode of proceeding when stamps are seized.

21. (1.) The person who is intrusted with the execution of any such warrant as aforesaid shall, if required, give to the person in whose custody or possession any stamps are found and seized an acknowledgment of the number, particulars, and amount of the stamps so seized, and shall permit such last-mentioned person, or any person employed by him, to mark such stamps before the removal thereof:

(2.) If the person in whose custody or possession any stamps are so found and seized is or has been a licensed dealer in stamps, he shall be entitled to claim and receive

in money from the Commissioners the amount of such of the stamps so seized as may be found to be genuine (deducting therefrom the proper discount), and also to receive the value of the material whereon the same may be impressed according to the rates at which material of the like quality and description is sold by the Commissioners, or, if the Commissioners think fit, such of the stamps so seized as may be found to be genuine may be returned to the person from whose custody or possession the same have been taken, with such reasonable amends as the Commissioners of Her Majesty's Treasury may think fit to award.

Licensed person in possession of forged stamps to be presumed guilty until contrary is shown.

22. If any forged stamps are found in the possession of any person appointed to sell and distribute stamps, or being or having been licensed to deal in stamps, such person shall be deemed and taken, unless the contrary is satisfactorily proved, to have had the same in his possession knowing them to be forged, and with intent to sell, use, or utter them, and shall be liable to all penalties and punishments imposed or inflicted by law upon persons selling, using, uttering, or having in possession forged stamps knowing the same to be forged.

Proceedings for the detection of stamps stolen or obtained fraudulently.

23. (1.) Any justice of the peace having jurisdiction in the place where any stamps are known or supposed to be concealed or deposited, may, upon reasonable suspicion that the same have been stolen or fraudulently obtained, issue his warrant for the seizure thereof, and for apprehending and bringing before himself or any other justice within the same jurisdiction the person in whose possession or custody such stamps may be found, to be dealt with according to law:

(2.) If such person omits or refuses to account for the possession of such stamps, or is unable satisfactorily to account for the possession thereof, or if it does not appear that the same were purchased by him at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps or duly licensed to deal in stamps, such stamps of which no account or no satisfactory account is given, or which do not appear to have been so purchased as aforesaid, shall be forfeited to Her Majesty, her heirs or successors, and shall be accordingly condemned by such justice and delivered over to the Commissioners; and any stamps so condemned shall be kept by the Commissioners for the space of six months, and afterwards cancelled and destroyed, or disposed of as the Commissioners think fit:

(3.) Provided, that if at any time within six months after such condemnation any person makes out to the satisfaction of the Commissioners that any stamps so condemned were stolen or otherwise fraudulently obtained from him, and that the same were purchased by him at the chief office or one of the head offices, or from some person duly appointed to sell and distribute stamps, or duly licensed to deal in stamps, such stamps may be delivered up to him.

As to the discontinuance of dies.

24. Whenever the Commissioners determine to discontinue the use of any die, and provide a new die to be used in lieu thereof, and give public notice thereof in the London, Edinburgh, and Dublin Gazettes, then from and after any day to be stated in the notice (such day not being within one month after the same is so published) such new die shall be the only lawful die for denoting the duty chargeable in any case in which the discontinued die would have been used if it had not been so discontinued; and every instrument first executed by any person, or bearing date after the day so stated, and stamped with the discontinued die, shall be deemed to be not duly stamped:

Provided as follows:

(1.) If any instrument stamped as last aforesaid, and first executed after the day so stated at any place out of the United Kingdom, is brought to the Commissioners within fourteen days after it has been received in the United Kingdom, then upon proof of the facts to the satisfaction of the Commissioners the stamp thereon shall be cancelled, and the instrument shall be stamped with the same amount of duty by means of the lawful die, without the payment of any penalty:

(2.) All persons having in their possession any material stamped with the discontinued die, and which by reason of the providing of such new die has been rendered useless, may at any time within six months after the day mentioned in such notice send the same to the chief office or either of the head offices, and the Commissioners may thereupon cause the stamps on such material to be cancelled, and the same material, or, if the Commissioners think fit, any other material, to be stamped with the new die in lieu of and to an equal amount with the stamps so cancelled.

As to defacement of adhesive stamps.

25. Every person who by any writing in any manner defaces any adhesive stamp before it is used shall forfeit the sum of five pounds: Provided that any person may with the express sanction of the Commissioners, and in the manner and in conformity with the conditions which they may prescribe, write upon an adhesive stamp before it is used for the purpose of identification thereof.

Recovery of penalties.

26. (1.) Penalties incurred under this Act are to be sued for by information in the Court of Exchequer, in England in the name of the Attorney General for England, in Scotland in the name of the Lord Advocate, and in Ireland in the name of the Attorney General for Ireland, and may be recovered with full costs of suit.

(2.) The Commissioners may, at their discretion, mitigate or stay or compound proceedings for any penalty, and reward

any person who may inform them of any offence against this Act, or assist in the recovery of any penalty.

Affidavits and declarations, how to be made.

27. Any affidavit or statutory declaration to be made in pursuance of or for the purposes of this Act may be made before any of the Commissioners, or any officer or person authorised by them in that behalf, or before any person appointed to administer oaths in Chancery in England or Ireland, or before any person commissioned to take affidavits by the Court of Session in Scotland, or any justice of the peace or notary public in any part of the United Kingdom, or at any place out of the United Kingdom before any person duly authorised to administer oaths there.

CHAP. 99.

An Act for the repeal of certain Enactments relating to the Inland Revenue. [10th August 1870.]

WHEREAS it is expedient that the enactments described in the schedule to this Act should be repealed to the extent and in manner herein-after appearing:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and commencement of Act.

1. This Act may be cited as "The Inland Revenue Repeal Act, 1870," and shall come into operation on the first day of January one thousand eight hundred and seventy-one.

Enactments in schedule repealed.

2. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions in the said schedule mentioned: Provided that this repeal shall not affect the past operation of any enactment hereby repealed, or the sufficiency or insufficiency of the stamp duty upon any instrument executed or signed, or the validity or invalidity of anything done or suffered before the said first day of January one thousand eight hundred and seventy-one; nor shall this repeal interfere with the institution or prosecution of any proceeding in respect of any offence committed, or any penalty or forfeiture incurred against or under any enactment hereby repealed.

Interpretation of "the whole Act."

3. The expression "the whole Act," when used in the said schedule with reference to any Act which has been already in part repealed, means the whole Act so far as it has not been repealed.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
5 & 6 W. & M. c. 21.	An Act for granting to their Majesties several duties, &c.	The whole Act.
6 & 7 W. & M. c. 6.	An Act for granting to His Majesty certain rates, &c.	The whole Act.
6 & 7 W. & M. c. 12.	An Act for explaining and regulating certain doubts, &c.	The whole Act.
7 & 8 Will. 3. c. 35.	An Act for the enforcing the laws which restrain marriage, &c.	The whole Act.
9 Will. 3. c. 25. -	An Act for granting to His Majesty, His heirs and successors, further duties, &c.	The whole Act.
1 Ann. st. 2. c. 19. -	An Act for preventing frauds in Her Majesty's duties, &c.	The whole Act.
8 Ann. c. 5. -	An Act for laying certain duties upon candles, &c.	The whole Act.
9 Ann. c. 15. - -	An Act for making good deficiencies, &c.	The whole Act.
9 Ann. c. 16. - -	An Act for licensing and regulating hackney coaches, &c.	The whole Act.
10 Ann. c. 18. -	An Act for laying several duties, &c.	The whole Act, except section 198.
10 Ann. c. 19. -	An Act for laying additional duties, &c.	The whole Act.
13 Ann. c. 18. -	An Act for laying additional duties, &c.	The whole Act.
6 Geo. 1. c. 21. - -	An Act for preventing frauds and abuses, &c.	The whole Act.
18 Geo. 2. c. 22. -	An Act for granting to His Majesty the sum of 800,000*l.*, &c.	The whole Act.
20 Geo. 2. c. 45. -	An Act to continue several laws, &c.	The whole Act.
30 Geo. 2. c. 19. -	An Act for granting to His Majesty several rates, &c.	Sections from 1 to 27, both inclusive, and 74 and 75.
2 Geo. 3. c. 36. -	An Act for better securing, &c. -	The whole Act.
5 Geo. 3. c. 35. -	An Act for granting to His Majesty certain duties, &c.	The whole Act.
5 Geo. 3. c. 46. - -	An Act for altering the stamp duties, &c.	The whole Act.
6 Geo. 3. c. 40. -	An Act for explaining and amending, &c.	The whole Act.
7 Geo. 3. c. 44. -	An Act for altering the stamp duties on policies of assurance, &c.	The whole Act.
8 Geo. 3. c. 25. - -	An Act for reducing the duties on foul salt, &c.	The whole Act.
12 Geo. 3. c. 48. -	An Act for the more effectual preventing of frauds, &c.	The whole Act.
16 Geo. 3. c. 34. -	An Act for granting to His Majesty several duties, &c.	Sections from 1 to 16, both inclusive.
17 Geo. 3. c. 50. -	An Act for granting to His Majesty certain duties, &c.	The whole Act.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
25 Geo. 3. c. 80. -	An Act for granting to His Majesty certain duties, &c.	The whole Act.
26 Geo. 3. c. 48. -	An Act for granting to His Majesty certain duties, &c.	The whole Act.
26 Geo. 3. c. 82. -	An Act for the more effectually carrying into execution, &c.	The whole Act.
27 Geo. 3. c. 13. -	An Act for repealing the several duties of customs and excise, &c.	Sections 41 to 46, both inclusive.
31 Geo. 3. c. 25. -	An Act for repealing the duties now charged on bills of exchange, &c.	The whole Act.
34 Geo. 3. c. 14. -	An Act for granting to His Majesty certain stamp duties, &c.	The whole Act.
35 Geo. 3. c. 55. -	An Act for granting to His Majesty certain additional duties on receipts.	The whole Act.
37 Geo. 3. c. 19. -	An Act for the more effectually securing the stamp duties, &c.	The whole Act.
37 Geo. 3. c. 90. -	An Act for granting to His Majesty certain stamp duties, &c.	The whole Act.
37 Geo. 3. c. 136. -	An Act to enable the Commissioners of Stamp Duties, &c.	The whole Act.
38 Geo. 3. c. 56. -	An Act for repealing so much of an Act, &c.	The whole Act.
38 Geo. 3. c. 85. -	An Act for explaining and amending certain Acts, &c.	The whole Act.
39 Geo. 3. c. 92. -	An Act for altering the period, &c.	The whole Act.
39 Geo. 3. c. 107. -	An Act for granting to His Majesty certain stamp duties, &c.	The whole Act.
39 & 40 Geo. 3. c. 72.	An Act to amend several laws, &c.	The whole Act, except section 16.
39 & 40 Geo. 3. c. 84.	An Act to render valid, &c.	The whole Act.
42 Geo. 3. c. 99. -	An Act for allowing the stamping certain deeds, &c.	The whole Act.
43 Geo. 3. c. 126. -	An Act for granting to His Majesty certain duties on receipts.	The whole Act.
43 Geo. 3. c. 127. -	An Act for consolidating the duties, &c.	The whole Act.
44 Geo. 3. c. 59. -	An Act to indemnify solicitors, attorneys, and others, &c.	Sections 1 and 2.
44 Geo. 3. c. 98. -	An Act to repeal the several duties, &c.	The whole Act, except so far as it relates to the duties on medicines and on licences for vending the same.
46 Geo. 3. c. 43. -	An Act for granting to His Majesty certain stamp duties, &c.	The whole Act, except sections 4, 5, 6, and 7.
48 Geo. 3. c. 149. -	An Act for repealing the stamp duties, &c.	Sections 1 to 34, both inclusive, and 45, 48, and 49.
50 Geo. 3. c. 35. -	An Act for altering the mode of collecting, &c.	The whole Act.
53 Geo. 3. c. 108. -	An Act for altering, explaining, and amending, &c.	The whole Act.
54 Geo. 3. c. 144. -	An Act for better securing, &c. -	The whole Act.
55 Geo. 3. c. 100. -	An Act to provide for the collection and management, &c.	The whole Act, except sections 19 and 20.
55 Geo. 3. c. 101. -	An Act to regulate the collection of stamp duties, &c.	The whole Act.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
55 Geo. 3. c. 184. -	An Act for repealing the stamp duties on deeds, &c.	Sections 1, 3 to 20, both inclusive, 29, 30, and 31; section 2, except so far as it relates to the duties contained in the 3rd part of the Schedule and to licences to bankers and pawnbrokers. Part 1 of the Schedule, except so far as it relates to licences to bankers and pawnbrokers; and Part 2 of the Schedule.
55 Geo. 3. c. 185. -	An Act for repealing the Stamp Office duties on advertisements, &c.	The whole Act, except so far as it relates to the duties on plate.
56 Geo. 3. c. 56. -	An Act to repeal the several stamp duties in Ireland, &c.	The whole Act, except sections 115 to 131, both inclusive.
1 & 2 Geo. 4. c. 55.	An Act to remove doubts, &c. -	The whole Act.
3 Geo. 4. c. 117. -	An Act to reduce the stamp duties on reconveyances of mortgages, &c.	The whole Act.
5 Geo. 4. c. 41. -	An Act to repeal certain duties on law proceedings, &c.	The whole Act.
6 Geo. 4. c. 41. - -	An Act to repeal the stamp duties payable in Great Britain and Ireland, &c.	The whole Act.
7 Geo. 4. c. 44. - -	An Act to allow, &c. - -	The whole Act.
9 Geo. 4. c. 27. - -	An Act to repeal the allowances made to stationers, &c.	The whole Act.
9 Geo. 4. c. 49. -	An Act to amend the laws in force relating to the stamp duties on sea insurances, &c.	The whole Act, except so much of section 12 as relates to licences to pawnbrokers.
2 & 3 Will. 4. c. 91.	An Act to explain doubts, &c. -	The whole Act.
3 & 4 Will. 4. c. 23.	An Act to reduce the stamp duties on advertisements, &c.	The whole Act.
3 & 4 Will. 4. c. 97.	An Act to prevent the selling and uttering of forged stamps, &c.	The whole Act, except sections 20 and 21.
4 & 5 Will. 4. c. 57.	An Act to repeal the stamp duties on almanacks, &c.	The whole Act.
5 & 6 Will. 4. c. 64.	An Act to alter certain duties, &c.	Sections 1, 2, and 7.
6 & 7 Will. 4. c. 76.	An Act to reduce the duties on newspapers, &c.	The whole Act.
1 & 2 Vict. c. 85. -	An Act to authorise the using, &c.	The whole Act.
3 & 4 Vict. c. 79. -	An Act to amend the law relating to the admission, &c.	The whole Act.
4 & 5 Vict. c. 34. -	An Act to explain and amend an Act, &c.	The whole Act.
5 & 6 Vict. c. 79. -	An Act to repeal the duties payable on stage carriages, &c.	Sections 3, 21, and 22, and so much of the Schedule as relates to the stamp duties on instruments, &c. thereby granted.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
5 & 6 Vict. c. 82. -	An Act to assimilate the stamp duties in Great Britain and Ireland, &c.	The whole Act, except so far as it relates to— (1) Duties contained in the 3d part of the Schedule to 55 Geo. 3. c. 184. (2) Licences to bankers, pawnbrokers, and appraisers. (3) Composition for duties on banker's notes. (4) Duties on, and licences to deal in, plate.
6 & 7 Vict. c. 72. -	An Act to impose certain stamp duties, &c.	The whole Act.
7 & 8 Vict. c. 21. -	An Act to reduce the stamp duties on policies of sea insurance, &c.	The whole Act.
8 & 9 Vict. c. 76. -	An Act to increase the stamp duty on licences to appraisers, &c.	Sections 2 and 3.
12 & 13 Vict. c. 80.	An Act to repeal the allowances on the purchase of stamps, &c.	The whole Act, except so much of section 2 as relates to the allowance for receiving duty on plate.
13 & 14 Vict. c. 97.	An Act to repeal certain stamp duties, &c.	The whole Act, except section 8, so far as it relates to money received as and for the duty upon or in respect of any legacy or residue.
16 & 17 Vict. c. 59.	An Act to repeal certain stamp duties, &c.	The whole Act, except sections 8, 17, 19, and 20, and also section 20, so far as it continues or perpetuates any enactment hereby repealed.
16 & 17 Vict. c. 63.	An Act to repeal certain stamp duties, &c.	The whole Act, except section 7.
16 & 17 Vict. c. 71.	An Act to amend the law relating to the stamp duties on newspapers.	The whole Act.
17 & 18 Vict. c. 83.	An Act to amend the laws relating to the stamp duties.	The whole Act, except sections 11, 12, and 20.
17 & 18 Vict. c. 125.	An Act for the further amendment of the process, practice, and mode of pleading, &c.	Sections 28 and 29.
18 & 19 Vict. c. 27.	An Act to amend the law relating to the stamp duties on newspapers, &c.	The whole Act.
18 & 19 Vict. c. 78.	An Act to reduce certain duties, &c.	Section 5.
19 & 20 Vict. c. 22.	An Act to amend the laws relating to the duties on fire insurances.	The whole Act.
19 & 20 Vict. c. 81.	An Act to reduce the stamp duties on certain instruments of proxy, &c.	The whole Act.
19 & 20 Vict. c. 102.	An Act to further amend the procedure in and to enlarge the jurisdiction of the superior courts of common law in Ireland.	Sections 34 and 35.
21 & 22 Vict. c. 20.	An Act for granting a stamp duty on certain drafts, &c.	The whole Act.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
21 & 22 Vict. c. 24.	An Act to reduce the stamp duties on passports.	The whole Act.
23 & 24 Vict. c. 15.	An Act for granting to Her Majesty certain duties of stamps.	The whole Act, except sections 4, 5, and 6.
23 & 24 Vict. c. 111.	An Act for granting to Her Majesty certain duties of stamps, &c.	Sections 1 to 18, both inclusive, and the schedule.
24 & 25 Vict. c. 21.	An Act for granting to Her Majesty certain duties of excise and stamps.	Sections 14 and 15, and so much of Schedule (B.) as relates to the duties on bills of exchange and on leases or tacks, and the duplicates or counterparts thereof.
24 & 25 Vict. c. 50.	An Act for facilitating the transfer of mortgages and bonds, &c.	The whole Act.
24 & 25 Vict. c. 91.	An Act to amend the laws relating to the Inland Revenue.	Sections 25, 26, 27, 28, 30, 31, 32, 33, and 34.
25 & 26 Vict. c. 22.	An Act to continue certain duties, &c.	Section 38, and so much of Schedule (C.) as relates to the stamp duty on foreign bonds or securities.
27 & 28 Vict. c. 18.	An Act to grant certain duties of Customs and Inland Revenue.	Sections 11, 12, 13, and 14, and Schedule (C.)
27 & 28 Vict. c. 56.	An Act for granting to Her Majesty certain stamp duties, &c.	Sections 2, 3, 16, and 17.
27 & 28 Vict. c. 90.	An Act to amend an Act of the present session, chapter 18, &c.	The whole Act.
28 & 29 Vict. c. 96.	An Act to amend the laws relating to the Inland Revenue.	Sections 1 to 7, both inclusive, 10 to 17, both inclusive, 19 to 22, both inclusive, and 30.
29 & 30 Vict. c. 64.	An Act to amend the laws relating to the Inland Revenue.	Section 16.
30 & 31 Vict. c. 90.	An Act to alter certain duties, &c.	Sections 20 to 24, both inclusive.
30 & 31 Vict. c. 96.	An Act to facilitate the recovery of certain debts, &c.	Section 23.
31 & 32 Vict. c. 100.	An Act to amend the procedure in the Court of Session, &c.	Section 41, except so far as it relates to the deliverance of the judge, and section 42.
31 & 32 Vict. c. 124.	An Act to amend the laws relating to the Inland Revenue.	Sections 10, 11, and 12.

CHAP. 100.

An Act to amend the Law relating to the repayment to the Consolidated Fund of money expended for the benefit of Greenwich Hospital.

[10th August 1870.]

WHEREAS it is expedient that the amount expended out of money provided by Parliament for the benefit of Greenwich Hospital should be repaid out of the revenue of Greenwich Hospital to the Consolidated Fund, so far as may be, quarterly instead of yearly:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited as The Greenwich Hospital Act, 1870, and this Act and the Greenwich Hospital Acts, 1865 and 1869, shall be construed as one Act and may be cited together as The Greenwich Hospital Acts, 1865 to 1870.

Section 51. of 28 & 29 Vict. c. 89. repealed, and other provisions substituted.

2. Section fifty-one of The Greenwich Hospital Act, 1865, is hereby repealed, and in place thereof the following words shall be deemed to be section fifty-one of that Act, and may be hereafter printed as forming portion thereof in place of the section hereby repealed, and The Greenwich Hospital Act, 1865, shall be construed as if section fifty-one thereof had been originally expressed in the following words, that is to say:

Her Majesty's Paymaster General shall, under the direction of the Admiralty, pay from the Greenwich Hospital income account into the receipt of Her Majesty's Exchequer as soon as may be after the first of April, first of July, first of October, and first of January in every year, a sum about equal to one fifth of the total amount of money provided by Parliament for the purposes of the Greenwich Hospital Acts, 1865 and 1869, during that year, and as soon as may be after the receipt by the Admiralty of the certificate furnished by the Comptroller and Auditor General of the amount expended in the said year out of money so provided, the sum (if any) by which the amount stated in such certificate exceeds the amount of the four quarterly sums paid within the said year in pursuance of this section.

If the amount stated in such certificate is less than the amount of the said four quarterly sums, Her Majesty's Paymaster General shall forthwith, under the direction of the Commissioners of Her Majesty's Treasury, pay the sum by which it is so less out of the growing produce of the Consolidated Fund to the credit of the Greenwich Hospital income account.

CHAP. 101.

An Act for amending the Sixth Section of the Pensions Commutation Act, 1869. [10th August 1870.]

WHEREAS by the sixth section of the Pensions Commutation Act, 1869, it is provided that "the Commissioners "for the Reduction of the National Debt, with the consent of "the Treasury, may pay the amounts awarded as commuta- "tions of pensions out of any funds for the time being in "their hands under the authority of the Act of the twenty- "fourth year of the reign of Her present Majesty, chapter "twenty-four, and the Act of the session of the twenty-sixth

" and twenty-seventh years of the same reign, chapter eighty-
" seven, or either of such Acts :"

And whereas chapter fourteen, intituled "An Act to grant
" additional facilities for depositing small savings at interest,
" with the security of the Government for due repayment
" thereof," ought to be substituted for chapter twenty-four in the said section:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of section 6. of 32 & 33 Vict. c. 32.

1. Section six of the Pensions Commutation Act, 1869, shall be construed as if the words "chapter fourteen" were and had at and from the date of the passing of such last-mentioned Act been inserted therein in the place of "chapter twenty-four," and Her Majesty's printers shall in all copies of the Pensions Commutation Act, 1869, which may be printed after the passing of this Act, insert the words "chapter fourteen" in the place of the words "chapter twenty-four" in section six of the said Pensions Commutation Act.

CHAP. 102.

An Act to amend the Law relating to the taking of Oaths of Allegiance on Naturalization.

[10th August 1870.]

WHEREAS it is expedient to amend the law relating to the taking of oaths of allegiance under the Naturalization Act, 1870: 33 & 34 Vict. c. 14.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Regulations as to oaths of allegiance.

1. The power of making regulations vested in one of Her Majesty's Principal Secretaries of State by the Naturalization Act, 1870, shall extend to prescribing as follows:

(1.) The persons by whom the oaths of allegiance may be administered under that Act:

(2.) Whether or not such oaths are to be subscribed as well as taken, and the form in which such taking and subscription are to be attested:

(3.) The registration of such oaths:

(4.) The persons by whom certified copies of such oaths may be given:

(5.) The transmission to the United Kingdom for the purpose of registration or safe keeping or of being produced as evidence of any oaths taken in pursuance of the said Act out of the United Kingdom,

or of any copies of such oaths, also of copies of entries of such oaths contained in any register kept out of the United Kingdom in pursuance of this Act:

(6.) The proof in any legal proceeding of such oaths:

(7.) With the consent of the Treasury, the imposition and application of fees in respect of the administration or registration of any such oath.

The two last paragraphs in the eleventh section of the Naturalization Act, 1870, shall apply to regulations made under this Act.

Penalty on making false declaration.

2. Any person wilfully and corruptly making or subscribing any declaration under the Naturalization Act, 1870, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor, and be liable to imprisonment with or without hard labour for any term not exceeding twelve months.

Construction and short title of Act.

3. This Act shall be termed the Naturalization Oath Act, 1870, and shall be construed as one with the Naturalization Act, 1870, and may be cited together with that Act as the Naturalization Acts, 1870.

CHAP. 103.

An Act to continue various expiring Laws.

[10th August 1870.]

WHEREAS the several Acts mentioned in column one of the schedule to this Act are, to the extent specified in column two of that schedule, limited to expire at the times specified in respect thereof in column four of the said schedule:

And whereas it is expedient to continue such Acts, to the extent specified in column two of the said schedule and the Acts amending the same, in so far as they are temporary in their duration, for the times mentioned respectively in column five of the said schedule:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Expiring Laws Continuance Act, 1870.

Continuance of Acts in schedule.

2. The Acts mentioned in column one of the schedule to this Act, in so far as they are temporary in their duration, shall, to the extent in column two of the said schedule mentioned, be continued until the times respectively specified in column five of the said schedule, and any enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner.

SCHEDULE.

1. Original Acts.	2. How far continued.	3. Amending Acts.	4. Time of Expiration of temporary Provisions.	5. Continued until
(1) 5 & 6 Will. 4. c. 27. - Linen, Hempen, Cotton, and other Manufactures (Ireland).	The whole Act	3 & 4 Vict. c. 91. 5 & 6 Vict. c. 68. 7 & 8 Vict. c. 47. 30 & 31 Vict. c. 60.	13th August 1870 - (32 & 33 Vict. c. 85.)	13th August 1871, and end of then next session.
(2) 2 & 3 Vict. c. 74. - Societies, unlawful (Ireland).	The whole Act	11 & 12 Vict. c. 89.	7th July 1870, and end of then next session. (32 & 33 Vict. c. 85.)	7th July 1871, and end of then next session.
(3) 3 & 4 Vict. c. 89. - Poor Rates, Stock in Trade Exemption.	The whole Act	- - -	1st October 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st October 1871, and end of then next session.
(4) 4 & 5 Vict. c. 30. - Survey of Great Britain.	The whole Act	33 & 34 Vict. c. 13.	31st December 1870, and end of then next session. (32 & 33 Vict. c. 85.)	31st December 1871, and end of then next session.
(5) 4 & 5 Vict. c. 59. - Application of Highway Rates to Turnpike Roads.	The whole Act	- - -	1st October 1870, and end of then next session. (28 & 29 Vict. c. 119.)	1st October 1871, and end of then next session.
(6) 5 & 6 Vict. c. 123. - Lunatic Asylums (Ireland).	The whole Act	- - -	1st August 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st August 1871, and end of then next session.
(7) 10 & 11 Vict. c. 32. - Landed Property Improvement (Ireland).	As to powers of commissioners.	13 & 14 Vict. c. 31. 29 & 30 Vict. c. 40.	1st January 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st January 1871, and end of then next session.
(8) 10 & 11 Vict. c. 90. - Poor Laws (Ireland).	As to appointment of commissioners.	14 & 15 Vict. c. 68.	23d July 1870, and end of then next session. (32 & 33 Vict. c. 85.)	23d July 1871, and end of then next session.
(9) 10 & 11 Vict. c. 98. - Ecclesiastical Jurisdiction.	As to provisions continued by 21 & 22 Vict. c. 50.	- - -	1st August 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st August 1871, and end of then next session.
(10) 11 & 12 Vict. c. 32. - County Cess (Ireland).	The whole Act	20 & 21 Vict. c. 7.	1st August 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st August 1871, and end of then next session.

1. Original Acts.	2. How far continued.	3. Amending Acts.	4. Time of Expiration of temporary Provisions.	5. Continued until
(11) 11 & 12 Vict. c. 107. - Sheep and Cattle Diseases.	The whole Act as to Ireland.	16 & 17 Vict. c. 62. 29 & 30 Vict. c. 4. (Ireland). 29 & 30 Vict. c. 15. 33 & 34 Vict. c. 36.	20th August 1869, and end of then next session, (31 & 32 Vict. c. 111.)	20th August 1871, and end of then next session.
(12) 14 & 15 Vict. c. 104. - Episcopal and Capitular Estates Management.	The whole Act	17 & 18 Vict. c. 116. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124.	1st January 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st January 1871, and end of then next session.
(13) 17 & 18 Vict. c. 102. - Corrupt Practices Prevention.	The whole Act	21 & 22 Vict. c. 87. 26 & 27 Vict. c. 29.	8th June 1870, and end of then next session. (32 & 33 Vict. c. 85.)	8th June 1871, and end of then next session.
(14) 17 & 18 Vict. c. 117. - Incumbered Estates (West Indies).	As to powers of the commissioners.	21 & 22 Vict. c. 96. 25 & 26 Vict. c. 45. 27 & 28 Vict. c. 108.	2nd August 1870 - (31 & 32 Vict. c. 111.)	31st March 1872 inclusive.
(15) 19 & 20 Vict. c. 36. - Preservation of the Peace (Ireland).	The whole Act	20 & 21 Vict. c. 7. 28 & 29 Vict. c. 118.	1st July 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st July 1871, and end of then next session.
(16) 23 & 24 Vict. c. 19. - Dwellings for Labouring Classes (Ireland).	The whole Act	- - -	15th May 1870, and end of then next session. (23 & 24 Vict. c. 19.)	15th May 1871, and end of then next session.
(17) 24 & 25 Vict. c. 109. - Salmon Fishery (England) Act.	As to appointment of inspectors, s. 31.	- - -	1st October 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st October 1871, and end of then next session.
(18) 25 & 26 Vict. c. 97. - Salmon Fisheries (Scotland).	As to the powers of commissioners, &c.	26 & 27 Vict. c. 50. 27 & 28 Vict. c. 118.	1st January 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st January 1871, and end of then next session.
(19) 26 & 27 Vict. c. 105. - Promissory Notes.	The whole Act	- - -	28th July 1870, and end of then next session. (32 & 33 Vict. c. 85.)	28th July 1871, and end of then next session.
(20) 27 & 28 Vict. c. 20. - Promissory Notes and Bills of Exchange (Ireland).	The whole Act	- - -	13th May 1870, and end of then next session. (32 & 33 Vict. c. 85.)	13th May 1871, and end of then next session.

1. Original Acts.	2. How far continued.	3. Amending Acts.	4. Time of Expiration of temporary Provisions.	5. *Continued until*
(21) 27 & 28 Vict. c. 9. Malt for Animals.	The whole Act	- - -	28th April 1870, and end of then next session. (32 & 33 Vict. c. 85.)	28th April 1871, and end of then next session.
(22) 27 & 28 Vict. c. 92. Public Schools.	The whole Act	- - -	1st August 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st August 1871, and end of then next session.
(23) 28 & 29 Vict. c. 46. Militia Ballots Suspension.	The whole Act	- - -	1st October 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st October 1871, and end of then next session.
(24) 28 & 29 Vict. c. 66. Charging of Malt Duty by Weight.	The whole Act	- - -	29th June 1870, and end of then next session. (32 & 33 Vict. c. 85.)	29th June 1871, and end of then next session.
(25) 28 & 29 Vict. c. 83. Locomotives on Roads	The whole Act	- - -	1st September 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st September 1871, and end of then next session.
(26) 28 & 29 Vict. c. 121. Salmon Fishery Act (1861) Amendment.	As to appointment of commissioners.	- - -	- - - -	1st October 1871, and end of the then next session.
(27) 29 & 30 Vict. c. 52. Prosecution Expenses.	The whole Act	- - -	23d July 1870, and end of then next session. (32 & 33 Vict. c. 85.)	23d July 1871, and end of then next session.
(28) 30 & 31 Vict. c. 126. Railway Companies (Scotland).	As to protection of rolling stock, s. 4.	- - -	1st September 1870 - (31 & 32 Vict. c. 79.)	1st September 1871, and end of then next session.
(29) 30 & 31 Vict. c. 127. Railway Companies.	As to protection of rolling stock, s. 4.	- - -	1st September 1870 - (31 & 32 Vict. c. 79.)	1st September 1871, and end of then next session.
(30) 30 & 31 Vict. c. 141. Master and Servant.	The whole Act	- - -	20th August 1870, and end of then next session. (32 & 33 Vict. c. 85.)	20th August 1871, and end of then next session.
(31) 31 & 32 Vict. c. 32. Endowed Schools.	The whole Act	- - -	1st August 1870, and end of then next session. (32 & 33 Vict. c. 85.)	1st August 1871, and end of then next session.
(32) 31 & 32 Vict. c. 76. Militia Pay.	The whole Act	32 & 33 Vict. c. 66.	31st July 1870 - - (32 & 33 Vict. c. 66.)	31st July 1871 inclusive.
(33) 32 & 33 Vict. c. 61. Trades Unions Funds Protection.	The whole Act	- - -	31st August 1870 -	31st August 1871, and end of then next session.

CHAP. 104.

An Act to facilitate compromises and arrangements between creditors and shareholders of Joint Stock and other Companies in Liquidation.

[10th August 1870.]

WHEREAS it is expedient to amend the law relating to the liquidation of joint stock and other companies:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Joint Stock Companies Arrangement Act, 1870."

Where compromise proposed Court of Chancery may order a meeting of creditors, &c. to decide as to such compromise.

2. Where any compromise or arrangement shall be proposed between a company which is, at the time of the passing of this Act or afterwards, in the course of being wound up, either voluntarily or by or under the supervision of the Court, under the Companies' Acts 1862 and 1867, or either of them, and the creditors of such company, or any class of such creditors, it shall be lawful for the Court, in addition to any other of its powers, on the application in a summary way of any creditor or the liquidator, to order that a meeting of such creditors or class of creditors shall be summoned in such manner as the Court shall direct, and if a majority in number representing three fourths in value of such creditors or class of creditors present either in person or by proxy at such meeting shall agree to any arrangement or compromise, such arrangement or compromise shall, if sanctioned by an order of the Court, be binding on all such creditors or class of creditors, as the case may be, and also on the liquidator and contributories of the said company.

Interpretation.

3. The word "Company" in this Act shall mean any company liable to be wound up under "The Companies Act, 1862."

Act and Companies Act to be read together.

4. This Act shall be read and construed as part of "The Companies Act, 1862."

CHAP. 105.

An Act for appointing a Commission to inquire into the alleged prevalence of the Truck System, and the disregard of the Acts of Parliament prohibiting such system, and for giving such Commission the powers necessary for conducting such Inquiry.

[10th August 1870.]

WHEREAS an Act was passed in the session held in the first and second years of the reign of King William the Fourth, chapter thirty-seven, intituled "An Act to prohibit

1 & 2 W. 4. c. 37.

"the payment in certain trades of wages in goods or otherwise than in the current coin of the realm," and the object of such Act is, as its title imports, to prohibit throughout Great Britain the payment in certain trades of wages in goods or otherwise than in money, which payment of wages in goods is commonly called the truck system:

And whereas it is alleged that in certain parts of Great Britain the provisions of the said Act, and divers other provisions in Acts passed for the prevention of the said truck system, are systematically disregarded, and it is expedient that inquiry should be made by Commissioners to be appointed by Parliament into the truth of the said allegations, with power to such Commissioners to suggest any improvement to be made in the law in respect of the matters aforesaid:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same, as follows:

Short title of Act.

1. This Act may be cited as the "Truck Commission Act, 1870."

Extent of Act.

2. This Act shall not extend to Ireland.

Appointment of Commissioners.

3. Charles Synge Christopher Bowen, esquire, barrister-at-law, and Alexander Craig Sellar, esquire, advocate, shall be Commissioners for the purpose of inquiring into and reporting to one of Her Majesty's Principal Secretaries of State, upon the operation of the above-mentioned Act, and of all other Acts or provisions of Acts prohibiting the truck system, with power to investigate any offences against such Acts which have occurred within the period of two years immediately preceding the passing of this Act, and to make such report on the subject of the truck system, and of the existing laws in relation thereto, as they shall deem proper and useful.

Any report made in pursuance of this Act shall be laid before Parliament within one calendar month next after such report is made if Parliament be then sitting, or, if Parliament be not then sitting, then within one calendar month next after the then next meeting of Parliament.

Vacancy in offices of Commissioners.

4. As often as any vacancy occurs in the office of any Commissioner acting under this Act by reason of such Commissioner dying, resigning, declining, or becoming incapable to act, one of Her Majesty's Principal Secretaries of State may from time to time fill up such vacancy.

Payment of Commissioners.

5. There shall be paid to each of the said Commissioners out of moneys to be provided by Parliament such remuneration for their services under this Act as the Commissioners of the Treasury may direct, and the said Commissioners may employ such secretary, clerks, and other officers at such salaries, to be paid out of moneys to be provided by Parliament, as may be approved of by the said Commissioners of the Treasury.

Powers of Commissioners.

6. The Commissioners shall have for the purposes of this inquiry to be instituted by them in pursuance of this Act all such powers, rights, and privileges as are vested in any of Her Majesty's superior courts, or in any judge thereof, or in the Court of Session in Scotland, or any judge thereof, on the occasion of any action or suit, in respect of the following matters:

(*a.*) The enforcing the attendance of witnesses, and examining them on oath, affirmation, or otherwise, as they or he may think fit:

(*b.*) The compelling the production of documents:

(*c.*) The punishing persons guilty of contempt:

(*d.*) The ordering an inspection of any real or personal property:

And a summons under the hand or hands of one or more of the Commissioners may be substituted for and shall be equivalent to any form of process capable of being issued at law in any action or suit for enforcing the attendance of witnesses, or compelling the production of documents.

Any warrant of committal to prison issued for the purpose of enforcing the powers conferred by this section shall be under the hand of one or more of the Commissioners, and shall specify the prison to which the offender is to be committed, and shall not authorise the imprisonment of any offender for a period exceeding three months.

For the purposes of this Act the Commissioners or either of them shall have power to enter and view any premises.

All superintendents of police, chief constables, headboroughs, gaolers, constables, and bailiffs shall and they are required to give their aid and assistance to the said Commissioners in the execution of their office.

The gaoler or other chief officer of any prison refusing to receive into his prison any prisoner committed thereto in pursuance of this Act shall incur a penalty not exceeding five pounds, to be recovered summarily for every day during which such refusal continues.

Every examination of witnesses under this Act shall be conducted in public, and due notice shall be given of the time and place of holding the same, but with power to the Commissioners to adjourn any meeting from any one place or time to another as occasion may require.

Any one Commissioner may hold inquiries for the purpose of this Act sitting alone, and exercise singly all the powers which by this Act may, when the two Commissioners are sitting together, be exercised by both or either of them, except only the power of punishing persons guilty of contempt, which power shall not be exercised by one Commissioner sitting alone, unless by order of one of Her Majesty's Principal Secretaries of State.

Indemnity to witnesses.

7. Any person examined as a witness in an inquiry under this Act who in the opinion of the Commissioners makes a

full and true disclosure touching all the matters in respect of which he is examined, shall receive a certificate under the hand of such Commissioners stating that the witness has upon his examination made a full and true disclosure as aforesaid; and if any civil or criminal proceeding be at any time thereafter instituted against such witness in respect of any matter touching which he has been so examined, the tribunal before which such proceeding is instituted shall, on the production and proof of the certificate, stay the proceeding, and may in its discretion award to such witness any costs he may have been put to by the institution of the proceeding; provided that no evidence taken under this Act shall be admissible against any person in any civil or criminal proceeding whatever, except in the case of a witness who may be accused of having given false evidence before the Commissioners conducting the inquiry under this Act.

Penalty for false swearing, &c.

8. Every person who, upon examination upon oath or affirmation in any inquiry under this Act, wilfully gives false evidence, shall be liable to the penalties of perjury.

Expenses.

9. The reasonable expenses incurred by any person who may be summoned to appear to give evidence in any inquiry under this Act, according to a scale to be approved by the Commissioners of Her Majesty's Treasury, may be allowed and paid to such person upon a certificate under the hands or hand of both or one of the Commissioners conducting the inquiry under this Act, and shall be deemed to be expenses incurred by the Commissioners for the purposes of their Commission, and, together with all incidental expenses of the inquiry directed by this Act, shall be paid by the said Commissioners of the Treasury out of moneys provided by Parliament.

Protection to persons appointed to conduct inquiries.

10. The Commissioners in conducting an inquiry under this Act shall have such and the like protection and privileges, in case of any action brought against them for any act done or omitted to be done in the execution of their duty, as is now by law given by any Act or Acts now or hereafter to be in force to justices acting in execution of their office.

Service of a summons.

11. Service upon any person of a summons under this Act may be made by leaving the summons at his usual or last known place of abode or of business.

Protection to persons publishing true accounts of evidence.

12. No person shall be liable to any suit, action, indictment or proceeding by reason of his publishing a true account of any evidence taken by the Commissioners or of any report of the Commissioners.

Limitation of actions.

13. No action shall be brought against any of the Commissioners appointed to conduct an inquiry under this Act, or any other person whomsoever, for anything done in the execution of his duty under this Act, unless such action be brought within six calendar months next after the doing of such thing.

[*No.* 58. *Price* 2*d.*] 3 M

CHAP. 106.

An Act to amend the Sanitary Act, 1866, so far as relates to the City of Dublin. [10th August 1870.]

WHEREAS under the provisions of the Sanitary Act, 1866, the right honourable the lord mayor, aldermen, and burgesses of the city of Dublin, acting by the town council of the said city, are the sewer authority within the said city for the purposes of the said Act and of the Sewage Utilization Act, 1865, and are also the nuisance authority for executing the Nuisance Removal Acts, as the same are made applicable to Ireland by the said Sanitary Act, 1865:

And whereas for the purpose of carrying the said Acts into effect it is necessary that the River Liffey should be made pure and the main drainage of the said city should be perfected, and that the works necessary for the purposes aforesaid should be executed, and that to defray the expenses which will be incurred in the execution of the said works the Public Works Loan Commissioners, as defined by the Public Works Loan Act, 1853, should advance to the said town council moneys to the amount, upon the security and in the manner by this Act authorised:

And whereas for the purposes aforesaid it is necessary to amend the Sanitary Act, 1866:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Public Works Loan Commissioners may advance to town council a sum not exceeding 350,000*l.* for purification of Liffey, &c.

1. The Public Works Loan Commissioners, as defined by the Public Works Loan Act, 1853, may, if they think fit, advance to the said town council of the city of Dublin, upon the security of the rate or fund out of which expenses incurred by the said town council as the sewer and nuisance authority within the said city under the Sanitary Act, 1866, may be defrayed, any sum or sums of money not exceeding in the whole three hundred and fifty thousand pounds, to be applied by the said town council in the execution of the works necessary for the purpose of purifying the said River Liffey and completing the main drainage of the said city of Dublin.

Application of moneys raised under this Act.

2. The said town council of the city of Dublin shall apply all moneys raised under the authority of this Act in payment of the expenses incurred in the execution of the said works necessary for the purification of the River Liffey and the completion of the said main drainage of the said city of Dublin and incident thereto, and to or for no other purpose whatsoever.

Repayment of advances.

3. Notwithstanding anything in the Public Works Loan Act, 1853, contained to the contrary, all moneys advanced under the authority of this Act shall be repaid in manner following; (that is to say,)

So long as any principal money or interest shall remain unpaid the said town council of the city of Dublin shall, in every year, from the date of each advance, pay to the said Public Works Loan Commissioners such annual sum as shall be equivalent to the sum of five per cent. per annum upon amount of such advance, and such annual sum shall be applied first in payment of interest on the amount remaining unpaid in respect of such advance at the rate of four per cent. per annum, and next in or towards discharge of the principal of such advance:

Every such annual sum shall be paid in two equal half-yearly instalments, the first of such instalments to be paid six months after the date of the advance in respect of which the same shall be payable.

Payment of expenses incurred in the execution of Act.

4. The expenses incurred by the said town council of the city of Dublin in carrying this Act into effect, and in repaying all moneys advanced under the authority of the same, shall be deemed to be expenses incurred by the said town council in carrying into effect the said Sanitary Act, 1866, and the Nuisance Removal Acts, and shall be paid out of the same rate or fund and in like manner in every respect.

Arrears may be enforced by appointment of a receiver.

5. In case the said town council shall not pay any such half-yearly payment as aforesaid within thirty days after the same shall be due, the said Public Works Loan Commissioners may, in addition to any other remedies, enforce payment of the same by the appointment of a receiver, and it shall be lawful for such receiver to apply to the Court of Queen's Bench in Ireland for a writ of mandamus to compel the said town council to make and cause to be levied such rate or rates as they are authorised to make for the purposes of the Sanitary Act, 1866, and the Nuisances Removal Acts, of such amount as shall be sufficient to make good any deficiency in the funds applicable to the payment of such interest, and so from time to time; and the said court is hereby authorised, on cause duly shown, to order and direct such writ of mandamus to issue, and if and when the same shall be made peremptory, the town council shall, and they are hereby authorised and required to make, or cause to be levied, such rate or rates of such amount, or as near thereto as may be, as shall be sufficient to pay the amount due, and the costs and expenses attending the recovery of the same.

CHAP. 107.

An Act for taking the Census of England.

[10th August 1870.]

WHEREAS it is expedient to take the census of England in the year one thousand eight hundred and seventy-one:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Secretary of State to superintend the taking of the census.

1. One of Her Majesty's Principal Secretaries of State shall have the care of superintending the taking of the census, and shall cause to be prepared and printed, for the use of the persons to be employed in taking it, such forms and instructions as he shall deem necessary, and the Registrar General shall issue all such forms and instructions to the persons for whose use they shall be intended; and all the expenses which shall be incurred by authority of such Secretary of State, with the consent of the Commissioners of the Treasury, under this Act, shall be paid out of such moneys as shall be provided by Parliament for that purpose.

Registrar's sub-districts to be formed into enumerator's divisions.

2. Every registrar's sub-district in England shall be formed into enumerator's divisions according to instructions to be prepared by or under the direction of such Secretary of State, who shall cause a sufficient number of copies of such instructions to be sent to every registrar of births and deaths in England; and the registrars, with all convenient speed, shall divide the several sub-districts into enumerator's divisions according to such instructions, and subject in each case to be revised by the superintendent registrar, and to the final revision and approval of the said Registrar General.

Enumerators to be appointed.

3. The several registrars of births and deaths in England shall make and return to their respective superintendent registrars a list containing the names and places of abode of a sufficient number of persons, duly qualified according to instructions to be prepared by or under the direction of such Secretary of State, to act as enumerators within their several sub-districts, and such persons, when approved of by the superintendent registrar, shall be appointed by him enumerators for taking the census, subject nevertheless to the approval of the said Registrar General; and the registrar, with the approval of the superintendent registrar, shall assign a division to each enumerator, and shall distribute to the several enumerators in his sub-district the forms and instructions which shall have been issued for that purpose by the Registrar General, and shall personally ascertain that each enumerator thoroughly understands the manner in which the duties required of him are to be performed.

Householders schedules to be left at dwelling-houses.

4. Schedules shall be prepared by or under the direction of such Secretary of State for the purpose of being filled up by or on behalf of the several occupiers of dwelling-houses as herein-after provided, with particulars of the name, sex, age, rank, profession or occupation, condition, relation to head of family, and birthplace of every living person who abode in every house on the night of Sunday the second day of April one thousand eight hundred and seventy-one, and also whether any were blind, or deaf and dumb, or imbecile or lunatic; and the registrars in England shall in the course of the week ending on Saturday the first day of April in the year one

thousand eight hundred and seventy-one leave or cause to be left at every dwelling-house within their respective sub-districts one or more of the said schedules for the occupier or occupiers thereof or of any part thereof, and upon every such schedule shall be plainly expressed that it is to be filled up by the occupier of such dwelling-house, (or where such dwelling-house is let or sub-let in different stories or apartments, and occupied distinctly by different persons or families, by the occupier of each such distinct story or apartment,) and that the enumerator will collect all such schedules within his division on the Monday then next following; and every occupier of any dwelling-house, or of any distinct story or apartment in any dwelling-house, with or for whom any such schedule shall have been left as aforesaid, shall fill up the said schedule to the best of his or her knowledge and belief, so far as relates to all persons dwelling in the house, story, or apartment occupied by him or her, and shall sign his or her name thereunto, and shall deliver the schedule so filled up, or cause the same to be delivered, to the enumerator when required so to do; and every such occupier who shall wilfully refuse or without lawful excuse neglect to fill up the said schedule to the best of his or her knowledge and belief, or to sign and deliver the same as herein required, or who shall wilfully make, sign, or deliver, or cause to be made, signed, or delivered, any false return of all or any of the matters specified in the said schedule, shall forfeit a sum not more than five pounds nor less than twenty shillings.

Occupiers to fill up the schedules and sign and deliver them to the enumerator.

Penalty for neglect.

5. The enumerators shall visit every house in their respective divisions, and shall collect all the schedules so left within their division from house to house, so far as may be possible, on Monday the third day of April in the year one thousand eight hundred and seventy-one, and shall complete such of the schedules as upon delivery thereof to them shall appear to be defective, and correct such as they shall find to be erroneous, and shall copy the schedules, when completed and corrected, into books to be provided them for that purpose, and shall add thereunto an account, according to the best information which they shall be able to obtain, of all the other persons living within their division who shall not be included in the schedules so collected by them.

Schedules to be collected from house to house, and corrected if found to be erroneous.

6. Every enumerator shall also take an account of the occupied houses, and of the houses then building and therefore uninhabited, and also of all other uninhabited houses within his division, and shall also take an account of all such particulars herein-before mentioned, and none others, according to the forms and instructions which may be issued under this Act; and in the book, into which he shall have copied the householders schedules and other particulars, as herein-before directed, each enumerator shall distinguish the several parishes within his division, or such parts thereof as shall be within his division, and shall also distinguish those parishes

Enumerators to take an account of houses, &c., and to distinguish the boundaries of parishes, boroughs, &c.

or parts of parishes within his division which are within the limits of any city or borough returning or contributing to return a member or members to serve in Parliament, or of any incorporated city or borough, or of any town within the jurisdiction of a local board, or of any commissioners intrusted by a local Act with draining, cleansing, lighting, or improving the town, or of any ecclesiastical district, or of any area prescribed in that behalf by the instructions, and shall deliver such book to the registrar of the sub-district, together with the householders schedules collected by him, and shall sign a form or declaration to the effect that the said book has been truly and faithfully filled up by him, and that to the best of his knowledge the same is correct, which form of declaration shall be prepared by or under the direction of such Secretary of State, and issued by the Registrar General with the forms and instructions aforesaid.

Enumerators to deliver their books, with the householders schedules, to the registrar.

Registrars to verify the enumerators books.

7. The registrar to whom such enumerators books shall be delivered shall examine the same, and shall satisfy himself that the instructions in each case have been punctually fulfilled, and if not shall cause any defect or inaccuracy in the said book to be supplied so far as may be possible; and when the books shall have been made as accurate as is possible the registrar shall deliver them to the superintendent registrar of his sub-district, and thereafter shall transmit the householders schedules to the Registrar General.

Superintendent registrars to examine the enumerators books, and return them to the Registrar General.

8. The superintendent registrar shall examine all the books which shall be so delivered to him, and shall satisfy himself how far the registrars have duly performed the duties required of them by this Act, and shall cause any inaccuracies which he shall discover in such books to be corrected so far as may be possible, and shall return on or before the first day of May one thousand eight hundred and seventy-one, or such other day as may be fixed by the Registrar General, all the books which shall have been delivered to him to the Registrar General for the use of such Secretary of State.

An abstract of returns to be printed, and laid before Parliament.

9. The Secretary of State shall cause an abstract to be made of the said returns; and such abstract shall be printed, and laid before both Houses of Parliament within twelve calendar months next after the first day of June in the year one thousand eight hundred and seventy-one, if Parliament be sitting, or if Parliament be not sitting, then within the first fourteen days of the Session then next ensuing.

Masters, &c. of gaols, &c. to be appointed enumerators of the inmates thereof.

10. The master or keeper of every gaol, prison, or house of correction, workhouse, hospital, or lunatic asylum, and of every public or charitable institution, which shall be determined upon by the said Registrar General, shall be the enumerator of the inmates thereof, and shall be bound to conform to such instructions as shall be sent to him by the authority of one of the said Secretaries of State for obtaining the returns required by this Act, so far as may be practicable, with respect to such inmates.

Overseers, peace officers, and relieving officers of unions formed under 4 & 5 W. 4. c. 76. bound to act as enumerators.

11. The overseers of the poor in every parish in England, and the constables, tithingmen, headboroughs, or other peace officers for such parishes, and the relieving officers in any union or parish not in union with a board of guardians acting under the provisions of an Act passed in the fifth year of King William the Fourth, intituled "An Act for the "amendment and better administration of the laws relating "to the Poor in England and Wales," or the Acts amending the same, shall be bound to act as enumerators under this Act within their respective parishes and unions, if required so to act by one of the said Secretaries of State, and where they shall so act shall be entitled to allowances as enumerators under the provisions of this Act; and every such overseer, relieving officer, constable, tithingman, headborough, and other peace officer who shall refuse or wilfully neglect so to act, and duly to perform the duties required of the said enumerators by this Act, shall for every such offence forfeit a sum not more than ten pounds nor less than five pounds.

Returns of persons travelling or on shipboard, or not in houses.

12. The Secretary of State shall obtain, by such ways and means as shall appear to him best adapted for the purpose, returns of the particulars required by this Act with respect to all persons who during the said night of Sunday the second day of April were travelling or on shipboard, or for any other reason were not abiding in any house of which account is to be taken by the enumerators and other persons as aforesaid, and shall include such returns in the abstract to be made by him as aforesaid.

Table of allowances to enumerators and others.

13. One of the said Secretaries of State shall cause to be prepared a table of allowances to be made to the several enumerators, registrars, superintendent registrars, and other persons in England employed in the execution of this Act; and such table, when approved by the Commissioners of Her Majesty's Treasury, shall be laid before both Houses of Parliament on or before the first day of March one thousand eight hundred and seventy one, if Parliament be sitting, or if Parliament be not sitting, then within the first fourteen days of the session then next ensuing.

Payments to be certified to the registrar general.

14. The superintendent registrar of every district in England shall within one calendar month next after the taking of the census certify to the said Registrar General the total amount of the allowances to which he, and the registrars, enumerators, and other persons in that district, are respectively entitled according to the said table.

Manner in which the payments shall be made to persons employed in execution of this Act in England.

15. The Commissioners of Her Majesty's Treasury shall, through the Registrar General, pay to each superintendent registrar, out of the moneys provided by Parliament for that purpose, the whole amount of the allowances to which the said superintendent registrar, and the registrars, enumerators, and other persons in each district, are severally entitled

according to the said table; and each superintendent registrar shall pay over to the registrars in his district the allowances to which they the said registrars are entitled, and shall also pay over or cause to be paid over to the enumerators and other persons in his district the allowances to which they are severally entitled according to the said table; and the receipts to be given by the enumerators and other persons and registrars for payment of their said allowances shall be delivered to the superintendent registrar, who shall transmit the same, together with the receipt for his own allowance, to the Registrar General: Provided always, that no such payment shall be made to any enumerator or other person who shall be required to act as an enumerator under this Act, but upon production of a certificate under the hand of the registrar that the duties required of such enumerator or other person acting as enumerator by this Act have been faithfully performed, and the like certificate shall be required under the hand of the superintendent registrar with respect to the registrar before any payment shall be made to the registrar, and the like certificate under the hand of the said Registrar General with respect to the superintendent registrar before any payment shall be made to the superintendent registrar.

Penalty on persons for wilful default.

16. Every superintendent registrar and registrar, and every enumerator and other person who is bound under this Act if required to act as enumerator, making wilful default in any of the matters required of them respectively by this Act, or making any wilfully false declaration, shall for every such wilful default or false declaration forfeit a sum not exceeding five pounds nor less than two pounds.

Penalty for refusing information or giving false answers.

17. The enumerators and other persons employed in the execution of this Act shall be authorised to ask all such questions as shall be directed in any instructions to be prepared by or under the direction of the said Secretary of State which shall be necessary for obtaining the returns required by this Act; and every person refusing to answer or wilfully giving a false answer to such questions or any of them shall for every such refusal or wilfully false answer forfeit a sum not exceeding five pounds nor less than twenty shillings.

Recovery of penalties.

18. All penalties imposed by this Act shall be recovered in a summary manner before two justices of the peace having jurisdiction in the county or place where the offence is committed in the manner prescribed by law in this behalf.

Interpretation of terms.

19. In the construction of this Act the term parish means a place for which a separate poor rate is or can be made, and has in the metropolis the same meaning as in "The Metropolis Management Act, 1855," and the words "dwelling-house" shall include all buildings and tenements of which the whole or any part shall be used for the purpose of human habitation.

CHAP. 108.

An Act for taking the Census in Scotland.

[10th August 1870.]

WHEREAS it is expedient to take the census of Scotland in the year one thousand eight hundred and seventy-one:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Secretary of State to superintend census.

1. One of Her Majesty's Principal Secretaries of State shall have the care of superintending the taking of the census of Scotland, and shall cause to be prepared and printed, for the use of the persons to be employed in taking it, such forms and instructions as he shall deem necessary, and the Registrar General for Scotland shall issue all such forms and instructions to the persons for whose use they shall be intended; and all the expenses which shall be incurred by authority of such Secretary of State, subject to the sanction of the Commissioners of Her Majesty's Treasury, under this Act, shall be paid out of such moneys as shall be provided by Parliament for that purpose.

Copy of this Act to be sent to every sheriff in Scotland.

2. The Registrar General for Scotland shall send a printed copy of this Act to the sheriff of every county in Scotland and to the chief magistrate of every royal burgh, and of every parliamentary burgh having magistrates, in Scotland.

Registrar's districts to be formed into enumerator's divisions.

3. Every registrar's district in Scotland shall be formed into enumerator's divisions according to instructions to be prepared by or under the direction of such Secretary of State, who shall cause a sufficient number of copies of such instructions to be sent to every registrar of births, deaths, and marriages in Scotland; and the registrars, with all convenient speed, shall divide the several districts into enumerator's divisions according to such instructions, and subject in each case to be revised by the sheriff of the county or the magistrates of the burgh, as the case may be.

Enumerators to be appointed.

4. The several registrars of births, deaths, and marriages in Scotland shall make and return to the sheriff of the county, or to the chief magistrate of the burgh, as the case may be, a list containing the names and places of abode of a sufficient number of persons, duly qualified according to instructions to be prepared by or under the direction of such Secretary of State, to act as enumerators within their several districts, and such persons, when approved of by the sheriff or magistrates, shall be appointed by the registrar, by any writing under his hand, enumerators for taking the census; and the registrar, with the like approval, shall assign a division to each enumerator, and shall distribute to the several enumerators in his district the forms and instructions which

shall have been issued for that purpose by the Registrar General, and shall personally ascertain that each enumerator thoroughly understands the manner in which the duties required of him are to be performed.

Householders schedules to be left at dwelling-houses.

5. Schedules shall be prepared by or under the direction of such Secretary of State for the purpose of being filled up by or on behalf of the several occupiers in dwelling-houses as herein-after provided, with particulars of the name, sex, age, rank, profession or occupation, condition, relation to head of family, and birthplace of every living person who abode in every house on the night of Sunday the second day of April one thousand eight hundred and seventy-one, and also whether any were blind, or deaf and dumb, or imbecile or lunatic, and also whether any, and how many, of such persons, being of the age of from five to thirteen years, were in regular attendance at school, or were in the receipt of education at home under tutors or governesses, and the registrars in Scotland shall in the course of the week ending on Saturday the first day of April in the year one thousand eight hundred and seventy-one leave or cause to be left at every dwelling-house within their respective districts one or more of the said schedules for the occupier or occupiers thereof or of any part thereof, and upon every such schedule shall be plainly expressed that it is to be filled up by the occupier of such dwelling-house, (or where such dwelling-house is let in different stories or apartments, and occupied distinctly by different persons or families, by the occupier of each such distinct story or apartment,) and that the enumerator will collect all such schedules within his division on the Monday then next following; and every occupier of any dwelling-house, or of any distinct story or apartment in any dwelling-house, with or for whom any such schedule shall have been left as aforesaid, shall fill up the said schedule to the best of his or her knowledge and belief, so far as relates to all persons dwelling in the house, story, or apartment occupied by him or her, and shall sign his or her name thereunto, and shall deliver the schedule so filled up, or cause the same to be delivered, to the enumerator when required so to do; and every such occupier who shall wilfully refuse or without lawful excuse neglect to fill up the said schedule to the best of his or her knowledge and belief, or to sign and deliver the same as herein required, or who shall wilfully make, sign, or deliver, or cause to be made, signed, or delivered, any false return of all or any of the matters specified in the said schedule, shall forfeit a sum not more than five pounds nor less than twenty shillings.

Occupiers to fill up the schedules and sign and return them to the enumerator.

Penalty for neglect.

Schedules to be collected from house to house, and corrected if found to be erroneous.

6. The enumerators shall visit every house in their respective divisions, and shall collect all the schedules so left within their division from house to house, so far as may be possible, on Monday the third day of April in the year one thousand eight hundred and seventy-one, and shall complete such of the schedules as upon delivery thereof to them shall appear to be

defective, and correct such as they shall find to be erroneous, and shall copy the schedules, when completed and corrected, into books to be provided them for that purpose, and shall add thereunto an account, according to the best information which they shall be able to obtain, of all the other persons living within their division who shall not be included in the schedules so collected by them.

Enumerators to take an account of houses, &c., and to distinguish the boundaries of parishes and burghs.

7. Every enumerator shall also take an account of the occupied houses, and of the houses then building and therefore uninhabited and also of all other uninhabited houses within his division, stating the number of rooms, including the kitchen, if any, as a room, having a window or windows, not being windows with a borrowed light, in each dwelling-house, and shall also take an account of all such particulars herein-before mentioned, and none other, as by the forms and instructions which may be issued under this Act they may be directed to inquire into; and in the book into which he shall have copied the householders schedules and other particulars, as herein-before directed, each enumerator shall distinguish the several parishes and places maintaining their own poor within his division, or such parts thereof as shall be within his division, and shall also distinguish those parishes and places or parts of parishes and places within his division which are within the limits of any city or burgh returning or contributing to return a member or members to serve in Parliament, or any royal burgh or any burgh in which either of the General Police and Improvement Acts, thirteenth and fourteenth Victoria, chapter thirty-three, or twenty-fifth and twenty-sixth Victoria, chapter one hundred and one, has been adopted, and shall deliver such book to the registrar of the district, together with the householders schedules collected by him, and shall sign a form or declaration to the effect that the said book has been truly and faithfully filled up by him, and that to the best of his knowledge the same is correct so far as may be known, which form of declaration shall be prepared by or under the direction of such Secretary of State, and issued by the Registrar General with the forms and instructions aforesaid.

Enumerators to deliver their books, with the householders schedules, to the registrar.

Registrars to verify the enumerators books, and deliver them to the sheriff, &c.

8. The registrar to whom such enumeration book shall be delivered shall examine the same, and shall satisfy himself that the instructions in each case have been punctually fulfilled, and if not shall cause any defect or inaccuracy in the said book to be supplied so far as may appear possible; and when the books shall have been made as accurate as is possible the registrar shall deliver them to the sheriff of the county or the chief magistrate of the burgh, as the case may be, as herein-after provided.

Returns to be given to the sheriffs of counties and

9. The sheriff of every county and the chief magistrate of every royal or parliamentary burgh in Scotland shall appoint a time or times, which shall not be earlier than the eighth

chief magistrates of burghs.

nor later than the twenty-second day of April one thousand eight hundred and seventy-one, for the registrars of districts within their respective jurisdictions to attend at their respective offices, or such other places as they may appoint, with the returns to be made under this Act, of which times and places intimation shall be given to the registrars in such manner as shall be directed by the sheriffs and magistrates respectively, who shall then and there receive from the registrars the returns to be made as aforesaid, and cause every registrar to make a declaration to the effect that the said account has been truly and faithfully taken, and that to the best of his knowledge the same is correct; and the sheriffs and magistrates, if they see cause, may examine the registrars touching any of the matters to which the returns relate, and shall thereafter direct the clerks of their respective jurisdictions to endorse the same (if not previously endorsed) with the name of the county and district thereof wherein the parish or place therein mentioned is situate, or otherwise (where any of the said sheriffs shall think proper) they shall direct the registrar to verify the said returns before any justice of the peace of their respective counties, and thereafter to transmit the same previously to the said twenty-second day of April in any convenient manner to the said sheriffs, who shall direct the same to be endorsed as aforesaid.

Sheriffs of counties and chief magistrates of burghs to receive the returns and transmit them to the Registrar General.

10. The sheriffs of counties and the chief magistrates of royal or parliamentary burghs in Scotland shall, on or before the third day of May one thousand eight hundred and seventy-one, transmit the several original enumeration books by them received from the registrars (together with a list of the parishes and places within their respective counties and burghs from whence no returns have been made to them) to the office of the Registrar General for Scotland for the use of the Secretary of State: Provided always, that the Registrar General may empower the said sheriffs or chief magistrates, or any of them, on a special application to that effect, to retain the said enumeration books for any period not later than the fifteenth day of May of the said year.

An abstract of returns to be printed and laid before Parliament.

11. The Secretary of State shall cause an abstract to be made of the said returns; and such abstract shall be printed, and laid before both Houses of Parliament within twelve calendar months next after the first day of June in the year one thousand eight hundred and seventy-one, if Parliament be sitting, or if Parliament be not sitting, then within the first fourteen days of the session then next ensuing.

Masters, &c. of gaols, &c. to be appointed enumerators of the inmates thereof.

12. The master or keeper of every gaol, prison, or house of correction, workhouse, hospital, or lunatic asylum, and of every public or charitable institution, which shall be determined upon by the said Registrar General, shall be the enumerator of the inmates thereof, and shall be bound to conform to such instructions as shall be sent to him by the

authority of one of the said Secretaries of State for obtaining the returns required by this Act, so far as may be practicable, with respect to such inmates.

Returns of houseless poor and of persons travelling or on shipboard.

13. The Secretary of State shall obtain, by such ways and means as shall appear to him best adapted for the purpose, returns of the particulars required by this Act with respect to all houseless persons, and all persons who during the said night of Sunday the second day of April were travelling on shipboard, or for any other reason were not abiding in any house of which account is to be taken by the enumerators and other persons as aforesaid, and shall include such returns in the abstract to be made by him as aforesaid.

Table of allowances to enumerators and other persons employed.

14. One of the said Secretaries of State shall cause to be prepared a table of allowances to be made to the several enumerators, registrars, sheriff clerks, town clerks, and other persons in Scotland employed in the execution of this Act; and such table, when approved by the Commissioners of Her Majesty's Treasury, shall be laid before both Houses of Parliament on or before the first day of March one thousand eight hundred and seventy-one, if Parliament be sitting, or if Parliament be not sitting, then within the first fourteen days of the session then next ensuing.

Payments to be certified to the Registrar General.

15. The sheriff of every county and the chief magistrate of every royal or parliamentary burgh in Scotland shall, within one calendar month next after the taking of the census, certify to the said Registrar General the total amount of the allowances to which the registrars, enumerators, sheriff clerks, town clerks, and other persons are respectively entitled according to the said table.

Manner in which the payments shall be made to persons employed in execution of this Act.

16. The sheriffs of counties and the chief magistrates of royal or parliamentary burghs in Scotland shall grant to the sheriff clerks and town clerks respectively, and the several registrars, enumerators, or other persons employed in the execution of this Act, such allowances as shall have been certified as herein-before provided, together with any necessary expenses incurred by them or any of them in the execution of this Act, and shall order payment thereof to be made by the collector of the land tax for the county or other place out of any money in his hands, and such collect or shall pay the same accordingly; and the receipts to be given by the registrars, enumerators, and other persons for payment of their said allowances shall be delivered to the sheriff clerk or town clerk, as the case may be, who shall transmit the same, together with the receipt for his own allowance, to the Registrar General: Provided always, that no such payment shall be made to any enumerator or other person who shall be required to act as an enumerator under this Act, but upon production of a certificate under the hand of the registrar that the duties required of such enumerator or other person acting as enumerator by this Act have been faithfully performed, and the like certificate shall be required under the hand of the sheriff

or chief magistrate, as the case may be, with respect to the registrar, before any payment shall be made to him.

Penalty for wilful default.

17. Every registrar, and every enumerator and other person who shall be required to act as enumerator, so appointed as aforesaid, making wilful default in any of the matters required of them respectively by this Act, or making any wilfully false declaration, shall for every such wilful default or false declaration forfeit a sum not exceeding five pounds nor less than two pounds.

Penalty for refusing information or giving false answers.

18. The enumerators and other persons employed in the execution of this Act shall be authorised to ask all such questions as shall be directed in any instructions to be prepared by or under the direction of the said Secretary of State which shall be necessary for obtaining the returns required by this Act; and every person refusing to answer or wilfully giving a false answer to such questions or any of them shall for every such refusal or wilfully false answer forfeit a sum not exceeding five pounds nor less than twenty shillings.

Recovery and application of penalties.

19. All offences committed in contravention of this Act shall be prosecuted, and all penalties imposed by this Act shall be recovered in a summary manner, under the provisions of "The Summary Procedure Act, 1864;" and every such penalty shall be paid, one half to the informer, and the other half to the collector of the land tax for the county or place for which the judge before whom the penalty is recovered shall have acted, to be by him applied in aid of the expenditure under this Act.

Interpretation of terms.

20. The term "sheriff" shall include "sheriff substitute," and the term "dwelling-house" shall include all buildings and tenements of which the whole or any part shall be used for the purpose of human habitation.

CHAP. 109.

An Act to abolish certain Real Actions in the Superior Courts of Common Law in Ireland, and further to amend the Procedure in the said Courts; and for other purposes. [10th August 1870.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Commencement of Act.

1. This Act shall commence and take effect on the second day of November one thousand eight hundred and seventy.

Limitation of Act.

2. This Act shall apply to Ireland only.

Short title.

3. This Act may be cited for all purposes as "The Common Law Procedure Amendment Act, Ireland, 1870."

Dower, writ of Right of dower, and

4. No writ of Right of Dower, or writ of Dower unde nihil habet, and no plaint for freebench or dower in the nature

of any such writ, and no Quare impedit, shall be brought after the commencement of this Act in any court whatsoever; but where any such writ, action, or plaint would now lie, either in a superior or any other court, an action may be commenced by "writ of summons and plaint" issuing out of the Superior Courts of Common Law at Dublin, in the same manner as the writ of summons and plaint in an ordinary action, and in such form as the judge of the said courts respectively shall from time to time think fit to order.

Quare impedit abolished as real actions, and to be commenced by writ of summons and plaint.

The service of the writ, appearance of the defendant, proceedings in default of appearance, pleadings, judgment, execution, and all other proceedings and costs upon such writ, shall be subject to the rules and practice which the judges of the said courts respectively shall from time to time make and prescribe, and which rules and practice shall be the same, as nearly as may be, as the proceedings in an ordinary action commenced by writ of summons and plaint.

Writ and all proceedings thereupon to be same as in ordinary action.

In order to enable the said superior courts and the judges thereof respectively to make rules and regulations, and to frame writs of summons and plaint, and proceedings for the purpose of giving effect to the provisions of this section, the two hundred and thirty-third and two hundred and fortieth sections of "The Common Law Procedure Amendment Act (Ireland), 1853," shall be incorporated with this section, as if those provisions had been severally herein repeated.

Rules and regulations may be made and writs and proceedings framed for the purposes of this section.

5. Where in any action of contract brought or commenced in any of the superior courts of common law at Dublin the claim endorsed on the summons and plaint does not exceed forty pounds, or where such claim, though it originally exceeded forty pounds, is reduced by payment, an admitted set-off, or otherwise, to a sum not exceeding forty pounds, it shall be lawful for the defendant in the action, within eight days from the day upon which the summons and plaint shall have been served upon him, if the whole or part of the demand of the plaintiff be contested, to apply to the court in which the action is brought, or to any judge of the said superior courts in chamber, for an order that such action should be tried in the civil bill court or one of the civil bill courts in which the action might have been commenced; and on the hearing of such application the judge shall, on proof that sufficient notice thereof has been given to the plaintiff or his attorney, unless there be good cause to the contrary, order such action to be tried in such civil bill court at the sessions to be named in such order, and thereupon the plaintiff shall lodge the original summons and plaint, which, if filed, shall be taken off the file for that purpose and delivered to the plaintiff, and the order with the clerk of the peace of the county mentioned in the order, and the cause and all proceedings therein shall be heard and taken in such civil bill court as if the action had been originally commenced in such court; and the costs of the

In certain cases judge of superior courts may order cause to be tried in civil bill court.

parties in respect of proceedings subsequent to the order of the judge of the superior court shall be allowed according to the scale of costs in use in the civil bill courts, and the costs of the proceedings previously had in the superior court shall be allowed according to the scale in use in such latter court.

Actions for malicious prosecution, &c. brought in superior courts may be remitted to civil bill court by judge.

6. Any person against whom an action for malicious prosecution, illegal arrest, illegal distress, assault, false imprisonment, libel, slander, seduction, or other action of tort may be brought in any of the superior courts of common law at Dublin may, within eight days from the day upon which the summons and plaint shall have been served upon him, apply to the court in which the action is brought, or to any judge of the said superior courts in chamber, (having previously made and filed in the proper office an affidavit setting forth that the plaintiff has no visible means of paying the costs of the defendant should a verdict not be found for the plaintiff,) for an order that unless the plaintiff shall, within a time to be therein mentioned, give full security for the defendant's costs to the satisfaction of the master of the said court, or satisfy the judge that he has a cause of action fit to be prosecuted in the superior court, all proceedings in the action shall be stayed, or in the event of the plaintiff being unable or unwilling to give such security, or failing to satisfy the judge as aforesaid, that the cause be remitted for trial in the civil bill court of the division of the county in which the defendant usually resides, at the sessions to be named in such order, and on the hearing of such application the judge shall, on proof that sufficient notice thereof has been given to the plaintiff or his attorney, and if he is satisfied of the truth of the statements in such affidavit, make such order accordingly; and where any such cause shall be remitted for trial in manner aforesaid the plaintiff shall lodge the original summons and plaint, which, if filed, shall be taken off the file for that purpose and delivered to the plaintiff, and the order with the clerk of the peace of the county named in the order, and thereupon the said cause shall be deemed to be and shall be within the jurisdiction of the civil bill court named in such order, and the said court shall have all and the same powers and jurisdiction with respect to the said cause as if the same had been originally within the jurisdiction of the said court and had been commenced by process in the said court; and the costs of the parties in respect of the proceedings subsequent to the order of the judge of the superior court shall be allowed according to the scale of costs in use in the civil bill courts, and the costs of the proceedings in the superior court shall be allowed according to the scale in use in such latter court.

Interpretation of terms.

7. In this Act—

The term "clerk of the peace" shall include the acting or deputy clerk of the peace, registrar, or other officer of the

county, or recorder's courts lawfully discharging the duties of the clerk either in a county, county of a city, or county of a town:

The word "county" shall include a county of a city, a county of a town, a town, a city, a borough, and a riding of a county.

CHAP. 110.

An Act to provide for the administration of the Law relating to Matrimonial Causes and Matters, and to amend the Law relating to Marriages, in Ireland.

[10th August 1870.]

WHEREAS by "The Irish Church Act, 1869," after reciting that it was expedient that the union created by Act of Parliament between the Churches of England and Ireland as then by law established should be dissolved, and that the church of Ireland, as so separated, should cease to be established by law, it was enacted that on and after the first day of January one thousand eight hundred and seventy-one the said union created by Act of Parliament between the Churches of England and Ireland should be dissolved, and that the said Church of Ireland, in the said Act referred to as "the said Church," should cease to be established by law; and it was further enacted that on and after the first day of January one thousand eight hundred and seventy-one all jurisdiction, whether contentious or otherwise, of all the ecclesiastical, peculiar, exempt, and other courts and persons in Ireland at the time of the passing of the said Act having any jurisdiction whatsoever exerciseable in any cause, suit, or matter, matrimonial, spiritual, or ecclesiastical, or in any way connected with or arising out of the ecclesiastical law of Ireland, should cease, and that on and after the said first day of January one thousand eight hundred and seventy-one the Act of the session of the twenty-seventh and twenty-eighth years of the reign of Her present Majesty, chapter fifty-four, should be repealed, and that on and after the last-mentioned day the ecclesiastical law of Ireland, except in so far as relates to matrimonial causes and matters, should cease to exist as law; and by the said Act it was provided that nothing in any Act, law, or custom should prevent the bishops, the clergy, and laity of the said Church so disestablished as aforesaid, and herein-after in this Act referred to as "the said Church," by such representatives, lay and clerical, and to be elected as they the said bishops, clergy, and laity should appoint, from meeting in general synod or convention, and in such synod or convention framing constitutions and regulations for the general management and good government of the said Church, and property and affairs thereof, and the future representation of the members thereof in diocesan synods, general convention, or otherwise, and also that if at any time it should be shown

to the satisfaction of Her Majesty that the bishops, clergy, and laity of the said Church, or the persons who for the time being might succeed to the exercise and discharge of the episcopal functions of such bishops, and the clergy and laity in communion with such persons, had appointed any persons or body to represent the said Church, and to hold property for any of the uses or purposes thereof, it should be lawful for Her Majesty by charter to incorporate such body, with power, notwithstanding the statutes of mortmain, to hold lands to such extent as was in the said Act provided, but not further or otherwise, and also that the Commissioners appointed by said Act might vest in the said representative body such churches as therein provided:

And whereas it is expedient to make provision in regard to suits which may be pending on the said first day of January one thousand eight hundred and seventy-one, and for the enforcing of decrees and orders made before the said first day of January one thousand eight hundred and seventy-one, and for the due administration of the law in respect of matrimonial causes and matters, and to amend the law relating to marriages in Ireland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Matrimonial Causes and Marriage Law (Ireland) Amendment Act, 1870."

Commencement of Act.

2. This Act shall commence and have effect on the first day of January one thousand eight hundred and seventy-one.

Limitation of Act.

3. This Act shall apply to Ireland only.

Interpretation of terms.

4. In this Act—

The term "bishop of the said Church" shall include any person who for the time being may succeed to the exercise and discharge of the episcopal functions of any person who at the passing of the said Irish Church Act was a bishop thereof:

The term "clergy and laity of the said Church" shall include clergy and laity in communion with bishops of the said Church:

The term "Protestant Episcopalian" shall mean a member of any of the churches following; (that is to say,)

The said Church, the Church of England, the Episcopal Church of Scotland, and any other Protestant Episcopal Church.

PART I.

Matrimonial Causes and Matters.

As to suits then pending.

5. All suits and proceedings in causes and matters matrimonial which, upon the first day of January one thousand eight hundred and seventy-one, shall be pending in any

ecclesiastical court in Ireland, shall be transferred to, dealt with, and decided by the Court for Matrimonial Causes and Matters herein-after mentioned, as if the same had been originally instituted in the said Court, subject to the following qualification:

Power for judges whose jurisdiction is determined to deliver written judgments.

If on the said first day of January one thousand eight hundred and seventy-one any cause or matter which would be transferred to the said Court for Matrimonial Causes and Matters under the enactment herein-before contained shall have been heard before any judge having, at the time of such hearing, the same jurisdiction in relation to such cause or matter, and be then standing for judgment, such judge may, at any time within six weeks after the said first day of January one thousand eight hundred and seventy-one, give into one of the registrars attending the Court for Matrimonial Causes and Matters a written judgment thereon, signed by him; and a decree or order, as the case may require, shall be drawn up in pursuance of such judgment, and every such decree or order shall have the same force and effect as if it had been drawn up in pursuance of a judgment of the Court for Matrimonial Causes and Matters on the day on which the same was delivered to the registrar.

Decrees, &c. made in any matrimonial matter may be enforced by the Court.

6. Any decree or order of any ecclesiastical court of competent jurisdiction made before the first day of January one thousand eight hundred and seventy-one in any cause or matter matrimonial may be enforced or otherwise dealt with by the Court for Matrimonial Causes and Matters herein-after mentioned in the same way as if it had been originally made by the said Court under this Act.

Former matrimonial jurisdiction of ecclesiastical courts to be exercised by the Court.

7. From and after the first day of January one thousand eight hundred and seventy-one all jurisdiction now vested in or exerciseable by any ecclesiastical court or person in Ireland in respect of divorces a mensâ et thoro, suits of nullity of marriage, suits for restitution of conjugal rights or jactitation of marriage, and in all causes, suits, and matters matrimonial, except in respect of marriage licences, shall belong to and be vested in Her Majesty, and such jurisdiction shall be exercised in the name of Her Majesty in a court of record, to be called the Court for Matrimonial Causes and Matters.

Judge of Court of Probate to be judge of Court.

8. The judge of the Court of Probate shall be the judge of the said Court for Matrimonial Causes and Matters, and shall have full authority to hear and determine all matters arising therein.

In case of illness, &c., provision to supply place of judge.

9. In case the Lord Chancellor of Ireland, in pursuance of the provisions of "The Probates and Letters of Administration Act (Ireland), 1857," shall request a judge of one of the superior courts of law in Ireland to sit for the judge of the Court of Probate, and exercise his powers, then such judge may also sit as judge of the Court of Matrimonial Causes and Matters, and exercise all the powers of the judge of the said Court.

Sittings of the Court.

10. The Court for Matrimonial Causes and Matters shall hold its sittings in the court from time to time appointed for the hearing of causes in the Court of Probate in Ireland.

Seal of the Court.

11. The Lord Chancellor shall direct a seal to be made for the said Court for Matrimonial Causes and Matters, and may direct the same to be broken, altered, and renewed at his discretion; and all decrees and orders, or copies of decrees or orders of the said Court, purporting to be sealed with the said seal, shall be received in evidence without further proof thereof.

Officers of the Court.

12. The registrars and other officers of the principal registry of the Court of Probate shall be also the registrars and officers of the said Court for Matrimonial Causes and Matters, and shall attend the sittings of the said Court for Matrimonial Causes and Matters, and assist in the proceedings thereof, and discharge in connexion therewith such duties as the judge of the said Court shall direct; and the principal registry of the Court of Probate shall also be the registry of the Court for Matrimonial Causes and Matters.

Court to act on the principles of the ecclesiastical courts.

13. In all suits and proceedings the said Court for Matrimonial Causes and Matters shall proceed and act and give relief on principles and rules which, in the opinion of the said Court, shall be as nearly as may be conformable to the principles and rules on which the ecclesiastical courts of Ireland have heretofore acted and given relief, but subject to the provisions herein contained, and to the rules and orders to be made by the said Court under this Act.

Judge of Court may sit in chamber.

14. It shall be lawful for the judge of the said Court for Matrimonial Causes and Matters for the time being to sit in chamber for the despatch of such part of the business of the said Court as can in the opinion of the said judge with advantage to the suitors be heard in chamber, and such sittings shall from time to time be appointed by the said judge.

Court may cause questions of fact to be tried by a jury.

15. It shall be lawful for the said Court for Matrimonial Causes and Matters to cause any question of fact arising in any suit or proceeding in said Court, on the application of either party to such suit or proceeding, to be tried by a special or common jury before the Court itself, or by means of an issue to be directed to any of the superior courts of common law in the same manner as an issue may now be directed by the Court of Chancery; and where the Court shall refuse to cause such question to be tried by a jury such refusal shall be subject to appeal as herein provided.

Powers of the Court for the trial of questions by a jury.

16. When the Court for Matrimonial Causes and Matters orders a question of fact to be tried before itself by a jury the Court may make all such rules and orders upon the sheriff or any other person for procuring the attendance of a special or common jury for the trial of such question as may now be made by any of the superior courts of common law at Dublin, and may also make any other orders which to such

Court may seem requisite; and every such jury shall consist of persons possessing the like qualifications, and shall be struck, summoned, balloted for, and called in like manner, as if such jury were a jury for the trial of any cause in any of the said superior courts; and every juryman so summoned shall be entitled to the same rights and subject to the same duties and liabilities as if he had been duly summoned for the trial of any such cause in any of the said superior courts; and every party to any such proceeding shall be entitled to the same rights as to challenge and otherwise as if he were a party to any such cause; and generally for all purposes of or auxiliary to the trial of questions of fact by a jury before the Court itself, and in respect of new trials thereof, and also for all purposes in relation to or consequential upon the direction of issues, the Court for Matrimonial Causes and Matters shall have the same jurisdiction, powers, and authority in all respects as belong to any superior court of common law or to any judge thereof, or to the High Court of Chancery or any judge thereof, for the like purposes.

Question to be stated, and jury sworn to try it.

17. When any such question is so ordered to be tried by a jury before the Court itself such question shall be reduced into writing in such form as the Court shall direct, and at the trial the jury shall be sworn to try the said question, and a true verdict to give thereon according to the evidence; and upon every such trial the Court for Matrimonial Causes and Matters shall have the same powers, jurisdiction, and authority as belong to any judge of any of the said superior courts sitting at Nisi Prius.

Court to have same authority as at Nisi Prius.

Court may make rules and regulations for procedure of practice and fees.

18. The judge of the said Court for Matrimonial Causes and Matters, with the approbation of the Lord Chancellor and Lord Justice of Appeal in Chancery, shall make, and when made, may add to, rescind, amend, or alter, rules and regulations with respect to the following matters:

1. The procedure and practice in matrimonial causes and matters, which procedure and practice may be the same as nearly as may be as the procedure and practice of the Court of Probate:
2. The scale of costs and fees to be charged upon any proceedings in such matrimonial causes and matters, subject nevertheless to the sanction of the Commissioners of Her Majesty's Treasury as to the amount of fees to be charged.

Any rules and regulations, and every addition, alteration, or amendment to, in, or of the same, made in pursuance of this section, shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if enacted in this Act.

The judge of the said Court for Matrimonial Causes and Matters shall cause a copy of any rules relating to fees to be charged, and every addition, reduction, alteration, or amendment to, in, or of such rules to be published in the Dublin

Gazette, and no other fees than those specified and allowed in such rules shall be demanded or taken.

Fees to be paid in stamps.

19. No fee payable under this part of this Act shall be received in money, but the same shall be received by a stamp denoting the amount of the fee which otherwise would be payable.

Sections 105-107 of 20 & 21 Vict. c. 79. to apply to stamps, &c.

20. All the provisions of sections one hundred and five, one hundred and six, and one hundred and seven of the Probates and Letters of Administration Act (Ireland), 1857, relating to stamps and fees, and to the punishment of fraudulent acts or practices relating thereto, shall be deemed to apply and shall apply to stamps and fees authorised to be taken by this part of this Act, or any rules made in pursuance thereof, and to the punishment of fraudulent acts or practices relating thereto, in like manner in every respect as if the said last-mentioned stamps and fees were authorised to be taken by the said Act.

Advocates, barristers, &c. may practise in the Court.

21. All persons admitted to practise as advocates or proctors respectively in any ecclesiastical court in Ireland, and all barristers, attorneys, and solicitors entitled to practise in the superior courts at Dublin, shall be entitled to practise in the said Court for Matrimonial Causes and Matters.

All records, books, &c. to be transmitted to the principal registry of the Court.

22. All letters patent (if any), records, deeds, processes, acts, proceedings, books, documents, or other instruments or papers relating to marriages or to any matters or causes matrimonial shall, within two months after the said first day of January one thousand eight hundred and seventy-one, be transmitted by the respective judges, registrars, or other officers of the several ecclesiastical courts in Ireland, or other the persons then having the custody or possession of the same, to the principal registry of the said Court for Matrimonial Causes and Matters.

Mode of taking evidence.

23. Subject to such rules and regulations as may be established as herein provided, the witnesses in all proceedings before the said Court for Matrimonial Causes and Matters, where their attendance can be had, shall be sworn and examined orally in open court: Provided that parties, except as herein-before provided, shall be at liberty to verify their respective cases in whole or part by affidavit, but so that the deponent in every such affidavit shall, on the application of the opposite party or by direction of the Court, be subject to be cross-examined by or on behalf of the opposite party, orally in open court, and after such cross-examination may be re-examined orally in open court by or on behalf of the party by whom such affidavit was filed.

Powers to issue commissions, &c.

24. The said Court for Matrimonial Causes and Matters shall have the same powers to compel the attendance of witnesses and the production of documents, and for that purpose to issue writs of subpœna and subpœna duces tecum, and also the same powers to issue commissions for the examination of witnesses, and to give orders in respect of such

examinations and to enforce the same, as are now vested in and capable of being exercised by the Court of Probate.

Penalties for false evidence.

25. All persons wilfully deposing or affirming falsely in any proceeding before the said Court shall be deemed to be guilty of perjury, and shall be liable to all the pains and penalties attached thereto.

Appeal.

26. Any person considering himself aggrieved by any final or interlocutory decree or order of the said Court for Matrimonial Causes and Matters may appeal therefrom to the Court of Appeal in Chancery, and thence to the House of Lords: Provided always, that no appeal from any interlocutory order of the said Court shall be made without leave of the said Court first obtained, but on the hearing of an appeal from any final decree all interlocutory orders complained of shall be considered as under appeal as well as the final decree.

Costs.

27. The said Court for Matrimonial Causes and Matters, on the hearing of any suit, proceeding, or petition under this Act, and the Court of Appeal in Chancery and the House of Lords, on the hearing of any appeal under this Act, may make such order as to costs as to such Court, Court of Appeal, or House respectively may seem just: Provided always, that there shall be no appeal on the subject of costs only.

Additional salaries to officers of Court of Probate.

28. There shall be paid to the officers of the Court of Probate in Ireland, by way of remuneration for any additional duties by this Act imposed upon them, such annual sums by way of additional salaries respectively as the Lord Lieutenant may direct and the Commissioners of Her Majesty's Treasury may approve, and all such sums shall be paid by the said Commissioners out of moneys to be provided by Parliament for that purpose.

Jurisdiction of Archbishop of Armagh, &c. transferred to Lord Chancellor.

29. The jurisdiction heretofore exercised by the Archbishop of Armagh, the master of the faculties, or other the commissary or commissaries of the said archbishop, in reference to the admission of public notaries, shall, from and after the first day of January one thousand eight hundred and seventy-one, be vested in and exercised by the Lord Chancellor of Ireland.

Compensation to officers of Court of Faculties.

30. Whereas it was intended by the forty-fifth section of the Irish Church Act, 1869, to provide compensation for all loss of emoluments connected with ecclesiastical jurisdiction, whether arising from suits or from marriage licences or fees for admission of public notaries; and whereas doubts have arisen as to whether the officers of the Court of Faculties of the Archbishop of Armagh are included in the said section; be it therefore enacted, that "the Commissioners of Church Temporalities in Ireland" shall be at liberty, if it appear to them just, to make compensation to the officers of the said Court of Faculties out of the same funds and within the same limit as to amount as are by said Act provided in respect of officers of the diocesan courts.

Rules and regulations to

31. All rules and regulations to be made under this part of this Act concerning procedure and practice, and fees to be

be laid before Parliament.

charged in any proceedings under this part of this Act, and all alterations thereof to be from time to time made, shall be laid before both Houses of Parliament within one month after the making thereof, if Parliament be then sitting, or, if Parliament be not then sitting, within one month after the commencement of the then next session of Parliament.

PART II.

Amendment of Marriage Law.

Churches in which marriages may be celebrated.

32. Marriage between persons both of whom are Protestant Episcopalians, may be solemnized in any of the churches or chapels following:

1. In any church or chapel in which at the time of the passing of this Act marriages may be solemnized according to the rites of the United Church of England and Ireland, and in which Divine Service, according to the rites of the said Church as herein-before defined, shall continue to be performed; or,
2. In any church or chapel which, after the passing of this Act, shall be licensed for the celebration of marriages in manner by this Act provided.

Provisions relating to the solemnization of marriages.

33. The provisions following shall apply to all marriages solemnized in any of the said churches or chapels:

1. The ceremony of marriage shall be preceded by—
   (1.) Publication of banns in any church or chapel in which a marriage may be solemnized under the provisions of this Act, which publication shall be made in the manner and according to the rules at the time of the passing of this Act in force in Ireland in relation to the publication of banns in parish churches and chapels of the United Church of England and Ireland; or by
   (2.) Licence or special licence granted in manner by this Act provided; or by
   (3.) Certificate from the registrar to be granted by him in like manner and subject to the like conditions as such certificate may, at the time of the passing of this Act, be granted:
2. The several provisions contained in the Act passed in the session of the seventh and eighth years of the reign of Her present Majesty, chapter eighty-one, and in the Act passed in the session of the twenty-sixth year of the said reign, chapter twenty-seven, and which at the time of the passing of this Act are applicable to persons in Holy Orders of the United Church of England and Ireland, and relate to the celebration of marriages by them, shall (except so far as the same are expressly altered or varied by this Act) apply to and be in force with respect to the celebration of marriages by any clergyman having authority to officiate, or who shall be permitted by such clergyman

to officiate in any aforesaid church or chapel in which marriage may be solemnized under the provisions of this Act, save only that such marriages may be celebrated at any time between the hours of eight o'clock in the forenoon and two o'clock in the afternoon.

Licence of churches.

34. Every bishop of the said Church may from time to time, by writing under his hand, subject to the approval of the Lord Lieutenant or other general governor or governors of Ireland, license any church or chapel for the celebration of marriages in any district within his episocpal superintendence to be named in such licence between persons one or both of whom shall reside within the limits of such district; and every such bishop shall, as soon as may be after the granting of each such licence, certify the granting thereof to the Registrar General of Marriages in Ireland, and shall send a copy of such licence to the said Registrar General, who shall keep the same with the other records of his office: Provided always, that a person who shall have dwelt for fourteen days prior to the ceremony within the limits of the district shall be deemed to reside therein.

Licences for marriages.

35. Every bishop of the said Church may, by writing under his hand, nominate persons to issue licences for marriages, and, by the same or other writings, define in and for what districts within the episcopal superintendence of such bishop such persons are respectively to issue the same, and in and for the district at the time of the passing of his Act known as the exempt jurisdiction of Newry and Morne the person at the time of the passing of this Act holding the office of vicar-general of the said exempt jurisdiction shall have power to issue licences for marriage, and shall continue so to do until the said district is included within the episcopal superintendence of some bishop of the said church; and every such licence shall be held to authorise marriage in any churches and chapels situate within such districts respectively in which marriages may be solemnized under the provisions of this Act, and which shall be specified in such licences, whenever both of the parties shall be Protestant Episcopalians, and resident within such districts; and such licences shall be in the form No. I. in the schedule (A.) to this Act annexed, or to the like effect; and for every such licence such person shall be entitled to have for his own benefit, of the party requiring the same, such fee, not exceeding the sum of five shillings, as may from time to time be appointed in that behalf by any general synod or convention of the bishops, clergy, and laity of the said Church; and in any case in which such person shall refuse to grant such licence, the person applying for the same shall be entitled to appeal to the bishop by whom such person shall have been so appointed, or his successor, who shall thereupon either confirm the refusal or direct the grant of the licence; and every person so appointed shall four times in every year,

on such days as shall be appointed by the registrar general, make a return to the registrar general of every licence granted by him since his last return, and of the particulars stated concerning the parties: Provided always, that no such person shall grant any such licence until he shall have given security by his bond in the sum of one hundred pounds to the registrar general for the due and faithful execution of his office.

A licence for marriage shall not be granted by any such person until seven days after notice shall have been given by one of the parties who shall have dwelt for not less than seven days then next preceding in the district named in that notice, under his or her hand, in the form No. II. in the schedule (A.) to this Act annexed, or to the like effect, to such person, and such person shall forthwith send a copy of such notice to the clergymen officiating at the places of worship where the parties intending marriage have been in the habit of attending.

Every person so appointed shall file and keep with the records of his office every such notice, and shall also forthwith enter a true copy of such notice fairly in a book to be for that purpose furnished to him by the Registrar General, to be called "The Marriage Notice Book," which book shall be open at all reasonable times, without fee, to all persons desirous of inspecting the same, and for entering every such notice the person so appointed shall be entitled to have such fee, not exceeding one shilling, as may be from time to time appointed in that behalf by any such general synod or convention as aforesaid over and above the accustomed fee for granting the licence.

Whenever a marriage shall not be had within three calendar months after the notice shall have been so given to the person so appointed as aforesaid, the notice, and any licence which may have been granted thereupon, shall be utterly void.

Before any licence for marriage shall be granted by any such person one of the parties intending marriage shall appear personally before him, and shall make and subscribe an oath or make affirmation, which oath or affirmation such person is hereby authorised to administer, that he or she believeth that there is not any impediment of kindred or alliance or other lawful hindrance to the said marriage and that one of the said parties hath for the space of fourteen days immediately before the day of the grant of such licence had his or her usual place of abode within the district attached in manner herein provided, for the purpose of celebration of marriages, to the church or chapel in which such marriage is to be solemnized, and that they are both of the full age of twenty-one years or, when either of the parties shall be under the age of twenty-one years, that the consent of the person or persons whose consent to such marriage is required by law has been obtained thereto, or that there is no person having authority to give such consent, or that such person is a widower or widow, as the case may be.

Power to bishop to grant special licences.

36. When both the parties about to contract marriage are Protestant Episcopalians, any bishop of the said Church may grant special licences to marry at any convenient time in any place within his episcopal superintendence.

Power to certain persons to grant special licences.

37. Special licences to marry at any convenient time at any place in Ireland may be granted to parties about to contract marriage by any of the persons following; (that is to say,)

The moderator of the General Assembly of the Presbyterian Church in Ireland:

The moderator of the Remonstrant Synod of Ulster:

The moderator of the Presbytery of Antrim:

The moderator of the Northern Presbytery of Antrim:

The moderator of the Synod of Munster:

The moderator of the Eastern Reformed Presbyterian Synod:

The moderator of the United Presbyterian Presbytery of Ireland:

The moderator of the Secession Church in Ireland:

The moderator of the Reformed Presbyterian Synod of Ireland:

The chairman of the Congregational Union of Ireland:

The president or head of the Methodist or Wesleyan Church:

The president or head of the Methodist New Connexion Church:

The president or head of the Association of the Baptist Churches in Ireland:

The clerk to the yearly meeting of the Society of Friends in Ireland:

Provided always, that the parties to whom any such special licence is granted are both members of the same church as the moderator, chairman, president, head, or clerk granting such special licence.

Legalisation of marriages of persons of different religious persuasions.

38. A marriage may, notwithstanding anything to the contrary herein-before in this Act contained, be lawfully solemnized by a Protestant Episcopalian clergyman between a person who is a Protestant Episcopalian and a person who is not a Protestant Episcopalian, and by a Roman Catholic clergyman between a person who is a Roman Catholic and a person who is not a Roman Catholic, provided the following conditions are complied with:

1st. That such notice is given to the registrar and such certificate is issued as at the time of the passing of this Act is required by the Act passed in the session of the seventh and eighth years of the reign of Her present Majesty, chapter eighty-one, as amended by the Act passed in the session of the twenty-sixth year of the said reign, chapter twenty-seven, in every case of marriage intended to be solemnized in Ireland according to the rites of the United Church of England and Ireland, with the exception of

marriages by licence or special licence, or after publication of banns:

2d. That the certificate of the registrar is delivered to the clergyman solemnizing such marriage at the time of the solemnization of the marriage:

3d. That such marriage is solemnized in a building set apart for the celebration of divine service according to the rites and ceremonies of the religion of the clergyman solemnizing such marriage, and situate in the district of the registrar by whom the certificate is issued:

4th. With open doors:

5th. That such marriage is solemnized between the hours of eight in the forenoon and two in the afternoon in the presence of two or more credible witnesses.

Avoidance of marriage in wilful violation of the Act.

39. There shall be repealed so much of an Act of the Parliament of Ireland passed in the nineteenth year of the reign of King George the Second, chapter thirteen, as provides that a marriage between a Papist and any person who hath been or hath professed himself or herself to be a Protestant at any time within twelve months before such celebration of marriage, if celebrated by a Popish priest, is to be void; but any marriage solemnized by a Protestant Episcopalian clergyman between a person who is a Protestant Episcopalian and a person who is not a Protestant Episcopalian, or by a Roman Catholic clergyman between a person who is a Roman Catholic and a person who is not a Roman Catholic, shall be void to all intents in cases where the parties to such marriage knowingly and wilfully intermarried without due notice to the registrar, or without certificate of notice duly issued, or without the presence of two or more credible witnesses, or in a building not set apart for the celebration of divine service according to the rites and ceremonies of the religion of the clergyman solemnizing such marriage.

Exemption of priest from penalty.

40. No Protestant Episcopalian clergyman and no Roman Catholic clergyman shall be subject to any punishment, pain, or penalty whatever for solemnizing a marriage in pursuance of and in accordance with the provisions of this Act.

Amendment of section 3. of 26 & 27 Vict. c. 27.

41. Section three of the Act of the session of the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter twenty-seven, shall be amended in manner following; (that is to say,)

Where the marriage is intended to be contracted in the office of the registrar, and where there is not any minister of the church, chapel, or place of public worship which the parties to the marriage, or either of them, usually attend, and where the parties to the marriage are not Jews or members of the Society of Friends, the registrar shall proceed as follows: he shall cause a copy of the notice given to him to be published, at the expense of the parties intending marriage, once at least in two

consecutive weeks next after he has received such notice in some newspaper circulating in the district in which such marriage is intended, or if there is not any newspaper circulating in such district, then in some newspaper circulating in the county in which such district is situate; any registrar neglecting or refusing to publish such notice in manner aforesaid shall be liable to a penalty of forty pounds, recoverable in like manner as penalties under the said Act.

This Act and 7 & 8 Vict. c. 81. and 26 Vict. c. 27. to be construed together.

42. Except where the provisions of the Acts passed in the session of the seventh and eighth years of the reign of Her Majesty, chapter eighty-one, and in the session of the twenty-sixth year of the same reign, chapter twenty-seven, are expressly altered by or are at variance with this Act, nothing herein contained shall alter, repeal, or affect the provisions of the said Acts respectively; and this Act shall, except as aforesaid, be considered as incorporated with the said Acts, and be construed together with the same.

SCHEDULE (A.)

No. I.

FORM OF LICENCE.

A.B., appointed to issue licences for marriages in the district of under the provisions of the Matrimonial Causes and Marriage Law (Ireland) Amendment Act, 1870, to *C.D.* of and *E.F.* of sendeth greeting.

WHEREAS ye are minded, as it is said, to enter into a contract of marriage under the provisions of the Matrimonial Causes and Marriage Law (Ireland) Amendment Act, 1870, and are desirous that the same may be speedily and publicly solemnized: And whereas you *C.D.* [*or E.F.*] have made and subscribed a declaration under your hand that you believe there is no impediment of kindred or alliance or other lawful hindrance to the said marriage, and that you *C.D.* [*or E.F.*] have [*or* has] had your [*or* his *or* her] usual place of abode for the space of fourteen days last past within the district of ( ), and [*in cases where either party is under age, and not a widower or widow*] that you *C.D.* [*or E.F.*] are [*or* is] under the age of twenty-one years, and that the consent of *G.H.*, whose consent to your [*or* his *or* her] marriage is required by law, has been obtained thereto [*or* that there is no person having authority to give such consent], *or where a party so under age is a widower or widow,* that you *C.D.* [*or E.F.*] are [*or* is] under twenty-one years of age, but are [*or* is] a widower or widow, *as the case may be*]: I do hereby grant unto you full licence according to the authority in that behalf given to me by the said Act, to proceed to solemnize such marriage, provided that the said marriage be publicly solemnized in the presence of two witnesses, within three calendar months from the [*here insert the date of the receipt of the notice by the person issuing the licence*] in the [*here describe the building in which the marriage is to be solemnized*], between the hours of eight in the forenoon and two in the afternoon. Given under my hand, this day of one thousand eight hundred and

(Signed) *A.B.*

No. II.

NOTICE OF MARRIAGE.

To *A.B.* [*or C.D.*] appointed to issue licences for marriages in the district of under the provisions of the Matrimonial Causes and Marriage Law (Ireland) Amendment Act, 1870.

I HEREBY give you notice that a marriage is intended to be had, within three calendar months from the date hereof, between me and the other party herein named and described; (that is to say,)

Name.	Condition.	Rank or Condition.	Age.	Dwelling Place.	Length of Residence.	Church or Building in which Marriage is to be solemnized.	District and County in which the other Party resides when the Parties dwell in different Districts.
Lucius Smith.	Widower	Carpenter	Of full age.	High Street, Roscrea.	28 days	Sion Chapel, Roscrea, Tipperary.	Maryborough, Queen's County.
Margaret Shaw.	Spinster	- - -	Minor	Grove Farm, near Maryborough.	More than a month.		

Witness my hand, this [*sixth*] day of [*May 1871*].
(Signed) *Lucius Smith.*

[The particulars in this schedule to be entered according to the fact.]

CHAP. 111.

An Act to make provision in relation to certain Beerhouses not duly qualified according to Law.

[10th August 1870.]

WHEREAS in misapprehension of the provisions of an Act passed in the third and fourth years of the reign of Her present Majesty, chapter sixty-one, licenses and certificates for the sale of beer and cider have been granted in respect of houses not duly qualified as by the first section of the said Act is required:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Rating qualification and closing hours of beerhouses within townships where separate poor rate is or can be made.

1. A dwelling-house, if situated within a township for which a separate poor rate is or can be made, or within a hamlet for which a separate poor rate is or can be made, shall, for the purpose of determining by reference to population, in accordance with the first and fifteenth sections respectively of the said Act, the rating qualification and the closing hour applicable to such house as a house for the sale of beer or

cider, be deemed to be within such township or hamlet, as the case may be, and not within any larger area of which such township or hamlet forms a part.

Restricted application of Act.

2. This Act shall apply exclusively to houses in respect of which licenses under Acts to permit the general sale of beer and cider by retail in England are in force at the time of the passing of this Act, and to such houses so long only as such licenses or any renewal thereof shall remain in force.

Short title.

3. This Act may be cited for all purposes as "The Beerhouse Act, 1870."

CHAP. 112.

An Act to amend the Act of the first and second years of the reign of His late Majesty King William the Fourth, chapter thirty-three, in part, and to afford facilities for obtaining Loans for the erection, enlargement, and improvement of Glebe Houses, and for the acquirement of lands for Glebes, in Ireland. [10th August 1870.]

WHEREAS by an Act passed in the session of Parliament held in the first and second years of the reign of His late Majesty King William the Fourth, intituled "An Act for "the extension and promotion of public works in Ireland," it was amongst other things enacted, that it should and might be lawful for the Commissioners of Public Works acting in the execution of the said Act to make loans or advances for works on security, by writing obligatory alone, upon the terms and conditions in the said Act mentioned:

And whereas it is expedient to afford facilities for obtaining loans for the erection, enlargement, and improvement of glebe houses, and for the acquirement of lands for glebes, in Ireland:

And whereas for the purposes aforesaid it is expedient to amend the said recited Act and to authorise the said Commissioners of Public Works in Ireland to make loans to the amount, upon the security, and in the manner by this Act authorised:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

Short title.

1. This Act may be cited for all purposes as "The Glebe Loan (Ireland) Act, 1870."

Interpretation of terms.

2. In this Act—

The term "ecclesiastical person" means and includes any archbishop, bishop, clergyman, priest, curate, or minister of any religious denomination whatsoever:

The term "work" means the erection, enlargement, or structural improvement of any dwelling-house for any ecclesiastical person having spiritual charge, as regards members of his own denomination, of any parish or district in which such work is executed, or permanently officiating in any church or chapel within such parish or district:

The term "glebe" means any piece or parcel of land, not exceeding in the whole ten acres, occupied or to be occupied by any ecclesiastical person while having spiritual charge of any parish or district in respect of which such glebe shall be purchased or acquired.

The Commissioners of Public Works may make advances to such amounts as may be sanctioned.

3. It shall be lawful for the Commissioners of Public Works in Ireland, during the continuance of this Act, with the sanction of the Commissioners of Her Majesty's Treasury, out of moneys issued to them or to be issued to them in pursuance of the provisions of the several Acts in the schedule to this Act annexed mentioned, to make loans to any person or persons of such sums as the said Commissioners of Public Works may think right and proper, upon the security and subject to the conditions by this Act authorised, for all or any of the purposes following; (that is to say,)

1. The execution of any work.
2. The purchase of any glebe.
3. The discharge of any debt due and incurred before the passing of this Act in the purchase of any dwelling-house for any ecclesiastical person having spiritual charge, as regards members of his own denomination, of the parish or district in which such dwelling-house is situate, or permanently officiating in any church or chapel within such parish or district, or in the purchase of any glebe.

One third of estimated cost of work to be secured.

4. The person or persons to whom such loans shall be granted for the execution of any work shall previously expend, secure, or deposit, in such manner as the said Commissioners of Public Works shall direct, a sum equal to not less than one third of the estimated cost of the construction of the proposed work; and no person or persons shall, for the purpose of purchasing any glebe or discharging any debt incurred before the passing of this Act in the purchase of any glebe, be granted by way of loan a sum greater than two thirds of the purchase money to be paid or already paid for such glebe.

Loan only to amount to two thirds of purchase money of glebe.

Security for repayment of loan for work.

5. The repayment of every loan which shall be made under the provisions of this Act for the purpose of executing any work, or discharging any debt incurred before the passing of this Act in the purchase of any dwelling-house for any ecclesiastical person as aforesaid, shall be secured by mortgage, bond, or otherwise, as the said Commissioners of Public Works, with the approval of the Commissioners of Her Majesty's Treasury, may think right; and every such security

other than a mortgage shall be entered into by at least three persons, the sufficiency and solvency of which persons shall be made out to the satisfaction of the said Commissioners of Public Works, and shall be subject to such conditions as the said Commissioners of Public Works, with such approval as aforesaid, shall deem to be proper.

Security for repayment of loan for glebe.

6. Every loan which shall be made under the provisions of this Act for the purchase of any glebe or the discharge of any debt incurred before the passing of this Act in the purchase of any glebe shall be repaid by the payment of an annual rentcharge of the amount and for the time herein-after mentioned, and every such glebe shall be deemed to be and shall be well charged with the payment of such rentcharge, and that in priority of all charges and incumbrances whatsoever, save and except quitrents and rentcharges in lieu of tithes, and also save and except all charges prior in date, if any, existing under or by virtue of any of the Acts mentioned in the schedule to this Act annexed; and all the provisions of the Act passed in the tenth and eleventh years of the reign of Her present Majesty, chapter thirty-two, as to the recovery of rentcharges payable thereunder, shall extend and apply to the recovery of rentcharges charged under the provisions of this Act upon glebes.

Loan to be repaid by annuity. 29 & 30 Vict. c. 40. s. 3.

7. Every loan which shall be made under the provisions of this Act shall be repaid by the payment to Her Majesty of an annual sum of five pounds for every one hundred pounds of such loan from time to time advanced, and so on in proportion for any lesser amount, and to be payable for the term of thirty-five years, to be computed from the date of the advance in respect of which the said annual sum shall be charged, such annual sum to be paid by equal half-yearly payments on the fifth day of April and tenth day of October in every year during the said term of thirty-five years, with such apportionment, if any, as may be necessary in respect of the first and last of such payments: Provided always, that the amount of such annual sum may, by agreement, and with the sanction of the Commissioners of Her Majesty's Treasury, be increased to such amount as will repay the sum so advanced sooner than the said period of thirty-five years herein-before appointed.

Rentcharge may be increased so as to repay sum advanced sooner than time appointed.

Mortgages, &c. under this Act exempt from stamp duty.

8. No mortgage, bond, obligation, security, contract, agreement, or other instrument whatsoever executed under the provisions of this Act, nor any memorial thereof for registration, shall be liable to any stamp duty whatever.

Sects. 37. and 38. of 1 & 2 Will. 4. c. 33. repealed.

9. From and after the passing of this Act sections thirty-seven and thirty-eight of the Act of the first and second years of the reign of His late Majesty King William the Fourth, chapter thirty-three, shall be and the same are hereby repealed.

Duration of Act.

10. The provisions of this Act, except the next preceding section, shall continue in operation until the first day of September one thousand eight hundred and seventy-five, and no longer.

SCHEDULE.

1 & 2 Will. 4. c. 33.
10 & 11 Vict. c. 32.
12 Vict. c. 23.
13 & 14 Vict. c. 31.
29 & 30 Vict. c. 40.

A LIST OF THE LOCAL AND PRIVATE ACTS,

(33 & 34 Vict. 1870,)

ARRANGED IN CLASSES.

Class 1.—Bridges and Ferries.
" 2.—Canals, Rivers, Navigations, Tunnels.
" 3.—Charitable Foundations and Institutions.
" 4.—County Affairs.
" 5.—Drainages and Embankments.
" 6.—Ecclesiastical Affairs.
" 7.—Estates.
" 8.—Fisheries.
" 9.—Gaslight Companies.
" 10.—Harbours, Docks, Piers, Ports, Quays.
" 11.—Improvements in Towns, &c.
" 12.—Inclosures and Allotments.
" 13.—Markets and Fairs.
" 14.—Parish Affairs.
" 15.—Personal Affairs.
" 16.—Railways and Tramroads.
" 17.—Small Debts Courts, &c.
" 18.—Tithes.
" 19.—Trading and other Companies.
" 20.—Turnpike and other Roads.
" 21.—Waterworks.

*** The full Titles will be found in the Tables at commencement of the volume.

Class 1.—Bridges and Ferries.

Cawood Bridge. Ch. lxv.
Fosdyke Bridge. Ch. xxxiv.
Gunthorpe Bridge. Ch. xxxii.
Stapenhill Bridge. Ch. lxvii.
Tay Bridge (North British Railway). Ch. cxxxv.
Wandsworth Bridge. Ch. cxxv.

Class 2.—Canals, Rivers, and Navigations.

Birmingham Canal Navigations. Ch. lx.
Clyde Navigation (Stobcross Dock). Ch. liv.
Gloucester and Berkeley Canal. Ch. lxi.
Herefordshire and Gloucestershire Canal Navigation. Ch. lxxxiii.
Milwall Canal. Ch. xx.
Severn and Wye Railway and Canal. Ch. xvi.
Thames Embankment (North). Ch. xcii.
Thames Navigation, &c. Ch. cxlix.
Torbay and Dartmouth Shipping Dues. Ch. xxxiii.
Tyne Improvement. Ch. xc.

Class 3.—Charitable Foundations and Institutions.

Edinburgh Royal Infirmary. Ch. xlviii.
Female Orphan Asylum. Ch. xv.
Glasgow Houses of Refuge. Ch. xlii.
Jewish United Synagogues. Ch. cxvi.
Leicester Lunatic Asylum. Ch. iv.
Owen's College (Manchester) Extension. Ch. 2. (*Private.*)
Royal Bank of Scotland Officers Widows Fund. Ch. xxxvii.
Saint Olave, &c. Charities. Ch. cxvii.

Class 4.—County Affairs.

Nil.

Class 5.—Drainages and Embankments.

Drainage and Improvement of Lands (Ireland) Supplemental:—(Frankford River). Ch. lxxxi.
Ditto (No. 2.):—(Douglas River). Ch. clvii.

Class 6.—Ecclesiastical Affairs.

Chelsea Rectory. Ch. 1. (*Private.*)
Leverington Rectory. Ch. clv.

Class 7.—Estates.

Cornwallis's. Ch. 3. (*Private.*)
Owen's College (Manchester) Estate. Ch. 2. (*Private.*)
Rattray's. Ch. 4. (*Private.*)

Class 8.—Fisheries.

Colne Fishery. Ch. lxxxv.
Oyster and Mussel Fisheries Orders Confirmation:—(Boston Deeps and Emsworth). Ch. vi.
Ditto (No. 2.):—(Frith of Forth). Ch. xxvii.

Class 9.—Gaslight Companies.

Airedale. Ch. x.
Brecon. Ch. xxvi.
Brighton and Hove General. Ch. cvi.
Broughty Ferry (Purchase by Burgh Commissioners). Ch. xiv.
Buxton. Ch. lxviii.
Cardiff. Ch. lxxv.
Carmarthen. Ch. lxxvi.
Chester. Ch. i.
Cleckheaton. Ch. lxix.
Eccleshill and Bolton. Ch. xxx.
Gaslight and Coke Company. Ch. cxxi.
Hebden Bridge. Ch. xl.
King's Lynn. Ch. xi.
Leeds (Transfer of Works to Corporation). Ch. lvi.
Leeds Corporation Gas and Improvements. Ch. xciii

Newport (Isle of Wight). Ch. v.
Paisley. Ch. xxxv.
Rainhill Gas and Water. Ch. lxxvii.
Reading. Ch. li.
Rotherham. Ch. cxxxiv.
Saint Alban's. Ch. xxxviii.
Saint Helen's. Ch. cxxxvii.
Shipley. Ch. lxiv.
Wrexham. Ch. xii.

Class 10.—Harbours, Docks, Piers, Ports, Quays, &c.

Alexandra (Newport) Docks. Ch. clxi.
Belfast Harbour. Ch. xcvii.
Burnham Tidal Harbour. Ch. cli.
Clyde Navigation (Stobcross Dock). Ch. liv.
Dagenham (Thames) Dock. Ch. clxii.
Exmouth Docks. Ch. cxlii.
Milford Haven Dock and Railway. Ch. xlix.
Millwall Dock. Ch. xx.
Pier and Harbour Orders Confirmation :—(Alum Bay, Dartmouth, Ilfracombe, Penryn, Walton-on-the-Naze). Ch. lxxxii.
Ditto (No. 2.) :—(Falmouth, Irvine, Kinsale, Mousehole, St. Leonard's-on-Sea, Ventnor). Ch. clviii.
Ditto (No. 3.) :—(Burntisland). Ch. clix.
Ryde Pier Railway. Ch. cxxxvi.
Torbay and Dartmouth Shipping Dues. Ch. xxxiii.

Class 11.—Improvements in Towns, &c.

Aberdare Local Board. Ch. xliii.
Bath (Water). Ch. liii.
Blackburn (Sewage, Market, &c.) Ch. clx.
Brighton Intercepting and Outfall Sewers. Ch. c.
Broughty Ferry Police (Gas). Ch. xiv.
Cleckheaton Local Board (Gas). Ch. lxix.
Enniskillen Borough Improvement. Ch. cxliii.
General Police and Improvement (Scotland) Supplemental :—(Dunfermline and Perth). Ch. cxv.
Glasgow Juvenile Delinquency Repression. Ch. xlii.
Halifax Improvement (Gas and Water). Ch. xcv.
Hyde Local Board (Water). Ch. xvii.
Leeds (Gas and Improvement). Ch. lvi., xciii.
Lincoln City Commons. Ch. lxxxvii.
Local Government Supplemental. Ch. cxiv.
Ditto (No. 2.) :—(Merthyr Tydfil). Ch. clxv.
Newcastle-upon-Tyne (Tyne Improvement). Ch. xc.
Newcastle-upon-Tyne (Town Moor). Ch. cxx.
Oldham Corporation (Water). Ch. cxliv.
Paisley (Gas). Ch. xxxv.
Public Health (Scotland) Supplemental :—(Fraserburgh). Ch. cxxxii.
Reading Local Board of Health. Ch. cxxxiii.
Rotherham and Kimberworth Local Board of Health. Ch. cxxxiv.
Salford Borough Improvement. Ch. cxxix.
Sewage Utilization (East Barnet). Ch. clvi.

Southwark and City Subway. Ch. cxxiv.
Thames Embankment (Abandonment of Street). Ch. xcii.
West Hartlepool Extension and Improvement. Ch. cxiii.
Yeovil Improvement (Water, &c.). Ch. lxxxviii.

Class 12.—Inclosures and Allotments.

Abbots Wood (Dean Forest). Ch. viii.
Lincoln City Commons. Ch. lxxxvii.

Class 13.—Markets and Fairs.

Blackburn Corporation. Ch. clx.
Northampton Corporation. Ch. xlv.
Thrapston Markets. Ch. cxxxviii.

Class 14.—Parish Affairs.

Nil.

Class 15.—Personal Affairs.

Nil.

Class 16.—Railways and Tramroads.

The Acts relating to Tramways will be found at the end of the Class.

Barnstaple and Ilfracombe (making). Ch. cx.
Bedford and Northampton (Extension of Time). Ch. l.
Blane Valley. Ch. lxxviii.
Bristol and North Somerset (Deviation). Ch. cxxx.
Bury Saint Edmunds and Thetford (Deviation). Ch. cxlvi.
Caledonian (Additional Powers). Ch. xliv.
Callander and Oban (Abandonment, &c.). Ch. ix.
Chesterfield and Brampton (making). Ch. xiii.
Dare Valley (Lease to Taff Vale Company, &c.). Ch. lxxii.
Downpatrick, Dundrum, and Newcastle (Lease). Ch. cxi.
Dublin and Antrim Junction (Capital). Ch. lxxxvi.
Dublin Port and City Railway. Ch. cxxxix.
Dublin, Wicklow, and Wexford (Additional Powers). Ch. cxxvi.
Duke of Sutherland's (making). Ch. xxxi.
East London (Further Powers). Ch. lv.
Edinburgh and Bathgate and North British (Rents, &c.). Ch. xci.
Edinburgh, Loanhead, and Roslin (making). Ch. xlvi.
Ellesmere and Glyn Valley (Dissolution of Company, &c.). Ch. clxvi.
Girvan and Portpatrick Junction (Revival of Powers, &c.). Ch. lxxiv.
Great Eastern (General Powers). Ch. xxxvi.
Great Eastern (Metropolitan Railways, &c.). Ch. lii.
Great Northern (Watford and Edgware Abandonment). Ch. lxxi.
Great Northern and Western (of Ireland) (Lease). Ch. ci.
Great Northern and Western (of Ireland) (Westport Quay Line). Ch. lxxxix.
Great Western (Hereford and Gloucester Canal). Ch. lxxxiii.
Great Western (Further Powers). Ch. cxl.

Halesowen and Bromsgrove Branch Railways (Extension of Time). Ch. cl.
Halifax and Ovenden Junction (Extension of Time). Ch. cxli.
Harborne (Extension of Time). Ch. cxlviii.
Lancashire and Yorkshire (Ripponden Branch Extension). Ch. lxxx.
Lancashire and Yorkshire and London and North-western Companies (Steamboats). Ch. lxxix.
Limerick and Ennis (Finance). Ch. lviii.
Limerick and Foynes (Finance). Ch. lix.
Llantrissant and Taff Vale Junction (Lease to Taff Vale Company, &c.). Ch. lxxiii.
London and North-western (Additional Powers). Ch. cxii.
London and North-western (Steam Vessels). Ch. cxviii.
London, Blackwall, and Millwall Extension (Abandonment). Ch. lxii.
London, Brighton, and South Coast (Abandonment of Worthing Junction, &c.). Ch. cliv.
Metropolitan (Tower Hill Extension). Ch. ciii.
Metropolitan and Saint John's Wood (Further Powers). Ch. xlvii.
Metropolitan District (Bread Street Station). Ch. xciv.
Midland (Additional Powers). Ch. lxiii.
Midland Counties and South Wales (Extension, &c.). Ch. cxxii.
Milford Haven Dock and Railway (Leasing, &c.). Ch. xlix.
Navan and Kingscourt (Extension of Time). Ch. cvii.
Newport (Extension to Long Craig, Fife, &c.). Ch. cliii.
Newport Pagnell (Extension of Time and Finance). Ch. xxix.
Newry and Armagh (Arbitration). Ch. cviii.
Newry and Greenore (Extension of Powers). Ch. clxiii.
Northampton and Banbury Junction (Midland Counties and South Wales Extension). Ch. cxxii.
North British and Edinburgh and Bathgate (Rents, &c.). Ch. xci.
North British (General Powers). Ch. civ.
North British (Tay Bridge). Ch. cxxxv.
North-eastern (Consolidation of Stocks). Ch. vii.
North-eastern (Leyburn and Hawes Branch, &c.). Ch. cv.
North Metropolitan (Extension of Time). Ch. xxxix.
North Union (Preston Station). Ch. lxxxiv.
Pembroke and Tenby (Dockyard Extension). Ch. cxxvii.
Penicuik (making). Ch. xli.
Poole and Bournemouth (Extension of Time). Ch. clxiv.
Preston Station. Ch. lxxxiv.
Ryde Pier Railway Extension. Ch. cxxxvi.
Sevenoaks, Maidstone, and Tunbridge (Deviation, &c.). Ch. xcviii.
Severn and Wye Railway and Canal (Extension). Ch. xvi.
South-eastern (Abandonment of certain lines). Ch. cxlvii.
Sutherland (Abandonment of part). Ch. xxxi.
Teign Valley (Extension of Time, &c.). Ch. clii.
Tottenham and Hampstead Junction (Abandonment). Ch. cix.
Wolverhampton and Walsall (Further Powers). Ch. xxviii.
Worcester Railways (making). Ch. cxlv.

Birmingham Suburban Tramways. Ch. clxxvii.
Birmingham and Staffordshire Tramways. Ch. clxviii.
Glasgow Street Tramways. Ch. clxxv.
Glyn Valley Tramway. Ch. clxvi.
Liverpool Tramways (Toxteth Park). Ch. clxxvi.

London Street Tramways. Ch. clxxi.
Metropolitan Street Tramways. Ch. clxxiii.
North Metropolitan Tramways. Ch. clxxii.
Pimlico, Peckham, and Greenwich Street Tramways (Various Powers). Ch. clxvii.
Pimlico, Peckham, and Greenwich Street Tramways (Extensions, &c.) Ch. clxxiv.
Plymouth, Stonehouse, and Devonport Tramways. Ch. clxix.
Portsmouth Street Tramways. Ch. clxx.

Class 17.—Small Debts Courts, &c.

Nil.

Class 18.—Tithes.

Nil.

Class 19.—Trading and other Companies.

Atlantic Telegraph Company. Ch. xcix.
North British and Mercantile Insurance Company. Ch. xi
Imperial Continental Gas Association. Ch. lxx.

Class 20.—Turnpike and other Roads.

Nil.

Class 21.—Waterworks.

Aberdare. Ch. xliii.
Ashton-under-Lyne, Stalybridge, and Dukinfield District. Ch. cxxxi.
Bath Corporation. Ch. liii.
Beccles. Ch. xviii.
Birmingham. Ch. cxxviii.
Chiltern Hills. Ch. xxv.
Dublin Corporation. Ch. xcvi.
Enniskillen. Ch. cxliii.
Fylde, The. Ch. xix.
Halifax. Ch. xcv.
Hyde. Ch. xvii.
Kirkcaldy and Dysart. Ch. lxvi.
Littlehampton. Ch. cxix.
Mansfield. Ch. ii.
Newcastle and Gateshead. Ch. cxxiii.
Oldham Corporation. Ch. cxliv.
Rainhill Gas and Water, Ch. lxxvii.
Reading Local Board. Ch. cxxxiii.
Rotherham and Kimberworth. Ch. cxxxiv.
Ruabon. Ch. lvii.
Runcorn, Weston, and Halton. Ch. iii.
Shoreham and District. Ch. xxii.
Skipton. Ch. cii.
Southport, &c. Ch. xxiii.
Yeadon, &c. Ch. xxiv.

INDEX

TO THE

PUBLIC GENERAL STATUTES,

33 & 34 VICTORIA.—A.D. 1870.

A.

ABSCONDING DEBTORS:

To facilitate the Arrest of Absconding Debtors. Ch. 76. page 483

Extending provisions of Bankruptcy Act, 1869; Sect. 1.
When arrest not valid; 2.
Security for debt given after arrest; 3.
Construction of terms; 4.
Costs and fees; 5.
Short title; 6.

ACTIONS ABOLITION. *See* COMMON LAW PROCEDURE (IRELAND).

ADMINISTRATION OF JUSTICE. *See*—

ABSCONDING DEBTORS.
ATTORNEYS AND SOLICITORS.
CLERK OF PETTY SESSIONS.
COMMON LAW PROCEDURE.
EVIDENCE.
EXTRADITION.
FELONY.
FORGERY.
JUDGES JURISDICTION.
JURIES.
LARCENY.
LIVERPOOL ADMIRALTY, &c.
MAGISTRATES (SCOTLAND).
MARRIED WOMEN.
NATURALIZATION.
NOTICES (ISLE OF MAN).
PEACE PRESERVATION.
PROTECTION OF INVENTIONS.
SALE OF POISONS.
SHERIFFS (SCOTLAND).
WAGES.

ADMINISTRATOR OF CONVICTS' PROPERTY. *See* FELONY.

ADMIRALTY COURT. *See* LIVERPOOL ADMIRALTY, &c.

ADVERTISEMENTS. *See* LARCENY (ADVERTISEMENTS).

ADVOWSONS. *See* ECCLESIASTICAL PATRONAGE.

ALIENS:

To amend the Law relating to the legal condition of Aliens and British Subjects. Ch. 14. page 166

See NATURALIZATION.

ALLEGIANCE, OATHS OF. *See* NATURALIZATION.

ANNUAL TURNPIKE ACTS CONTINUANCE. *See* TURNPIKE ACTS CONTINUANCE.

ANNUITIES. *See* APPORTIONMENT OF RENTS, &c.

ANNUITY TAX ABOLITION:

To amend the Act 23 & 24 Vict. c. 50., "to abolish the Annuity "Tax in Edinburgh and Montrose, and to make provision in "regard to the Stipends of the Ministers in that City and Burgh, "and also to make provision for the Patronage of the Church of "of North Leith;" and to make provision for the abolition of the Annuity Tax within the Parish of Canongate, and for the payment of the Minister of said Parish. Ch. 87. page 542

Bond of annuity redeemable, and existing securities discharged; Sects. 1, 2.
Magistrates may apply funds of city towards redemption, and borrow not exceeding 56,500*l.*; 3.
Nothing in this Act to affect the rights of the city creditors; 4.
Mortgages how to be executed; 5.
Money may be raised on cash credit; 6.
Power to borrow money from Public Works Loan Commissioners; 7, 9.
Power of levying increased assessments to continue until bond is redeemed and debt paid off; 10.
Tax in parish of Canongate to be imposed until bond is redeemed and debt paid off, after which stipend to be paid by Ecclesiastical Commissioners; 11, 12.
Appropriation of church-door collections; 13.
Provisions respecting redemption of annual payment by the Leith Docks Commissioners; 14–18.
Presentations to certain churches to cease; 19.
Patronage of other churches transferred to Ecclesiastical Commissioners; 20.
Application of money by Ecclesiastical Commissioners; 21.
Power to increase stipends of whole ministers; 22.
Application of the proceeds of the Makcall mortification; 23.
Commissioners may sell or let New Street Church; 24.
Application of funds of Ecclesiastical Commissioners; 25.
Town Council shall pay over a sum of 1,500*l.* to kirk session; 26.
Kirk session to pay a sum of 70*l.* per annum to minister of second charge out of rents, church, seats, &c., and 60*l.* per annum out of church-door collections; 27, 28.
Kirk session may levy assessments on pews and seats; 29, 30.
Kirk session to fix the amount of stipend for clergyman of second charge; 31.
Repeal of Acts at variance with this Act; 32.
SCHEDULE of Forms.

APPORTIONMENT OF RENTS, &c.:

For the better Apportionment of Rents and other periodical Payments. Ch. 35. page 233

Preamble recites 11 Geo. 2. c. 19., 4 & 5 W. 4. c. 22., 6 & 7 W. 4. c. 71., 14 & 15 Vict. c. 25., and 23 & 24 Vict. c. 154.
Short title; Sect. 1.

APPORTIONMENT OF RENTS, &c.—*continued.*

Rents, annuities, dividends, and other periodical payments shall accrue from day to day and be apportionable in respect of time; 2.

Apportioned part of rent, &c. shall be payable when the next entire portion shall have become due, and persons shall have same remedies for recovering apportioned parts as for entire portions; 3, 4.

Interpretation of terms; 5.

Act not to apply to policies of assurance, nor to cases where it is stipulated that no apportionment shall take place; 6, 7.

APPROPRIATION OF SUPPLIES:

To apply a sum out of the Consolidated Fund to the Service of the year ending 31st March 1871; and to appropriate the Supplies granted in this Session of Parliament. Ch. 96. page 583

ARMS, &c., SEIZURE OF. *See* PEACE PRESERVATION (IRELAND).

ARMY:

For punishing Mutiny and Desertion, and for the better payment of the Army and their quarters. Ch. 7. page 11

To shorten the time of Active Service in the Army, and to amend in certain respects the Law of Enlistment. Ch. 67. page 335

Short title; Sect. 1.

Twelve years the limit of enlistment; 2.

Terms of enlistment; 3.

Change of service; 4.

In imminent national danger, Her Majesty may continue soldiers in army service; 5.

Enlistment for general service, &c.; 6.

Effect of attachment to a regiment; 7.

Re-engagement of soldiers; 8.

Limit of numbers; 9.

Continuance in Her Majesty's service after twenty-one years; 10.

Prolongation of enlistment in certain cases; 11.

Rules for reckoning service and discharge on completion of service; 12, 13.

Provisions in Reserve Force Act, 1867 (30 & 31 Vict. c. 110.), and Militia Reserve Act, 1867 (30 & 31 Vict. c. 111.), as to calling reserve and militia into active service extended to cases of imminent national danger; 14.

Soldiers who have exceeded the first term of their engagement may be enrolled in reserve; 15.

Power of Secretary of State to issue orders and forms; 16.

Saving of provisions of Acts relating to enlistment; 17.

Application of Act to men under Army Enlistment Act, 1867, &c.; 18.

Training of first class of reserve force; 19.

Service of notices on reserve force; 20.

Section of 30 & 31 Vict. c. 110. repealed; 21.

Definition of Secretary of State; 22.

ARREST OF ABSCONDING DEBTORS. *See* ABSCONDING DEBTORS.

ARRESTMENT OF WAGES. *See* WAGES.

ASSURANCE POLICIES. *See* CUSTOMS AND INLAND REVENUE.

ATTACHMENT OF WAGES. *See* WAGES.

ATTORNEYS AND SOLICITORS REMUNERATION:

To amend the law relating to the Remuneration of Attorneys and Solicitors. Ch. 28. page 211

Short title, extent of Act, and interpretation of terms; Sects. 1–3.
Agreements may be made between Attorneys or Solicitors and their clients, in respect of business done or to be done; 4–15.
Security may be taken by attorneys, &c. for future costs; 16.
Interest may be allowed on taxations in respect of disbursements and advances; 17.
Taxing officer to have regard to character of services; 18.
Revival of order for payment of costs; 19.
Power to attorneys, &c. to perform acts as appertain to office of proctor; 20.

AUCTIONEERS LICENSES. *See* CUSTOMS AND INLAND REVENUE.

B.

BANK OF IRELAND. *See* DIVIDENDS AND STOCK.

BANKRUPTCY. *See* ABSCONDING DEBTORS.

BEERHOUSES:

To make provision in relation to certain Beerhouses not duly qualified according to Law. Ch. 111. page 714

Rating qualification and closing hours of beerhouses within townships where separate poor rate is or can be made; Sect. 1.
Application of Act restricted; 2.
Short title; 3.

——— *See also* WINE AND BEERHOUSES.

BEVERLEY. *See* BRIDGWATER AND BEVERLEY DISFRANCHISEMENT.

BILLS IN PARLIAMENT. *See* PROVISIONAL ORDERS.

BLEACHING AND DYEING WORKS. *See* FACTORIES AND WORKSHOPS.

BONDS. *See* EXCHEQUER BONDS.

BOOK POST, &c. *See* POST OFFICE.

BREWERS LICENCES. *See* WINE AND BEERHOUSES.

BRIDGWATER AND BEVERLEY DISFRANCHISEMENT:

To disfranchise the Boroughs of Bridgwater and Beverley. Ch. 21. page 194

Disfranchisement of Bridgwater and Beverley, and persons reported guilty of bribery disqualified as voters; Sects. 1–3.
Persons against whom criminal proceedings instituted not to be disqualified until adjudged guilty of such bribery; 4.
Copies of Reports printed by Queen's Printer to be evidence; 5.

BRITISH COLUMBIA:

To make further provision for the Government of BritishColumbia. Ch. 66. page 334

Preamble recites 21 & 22 Vict. c. 99.
Short title, and interpretation; Sects. 1, 2.
Power to Her Majesty by Order in Council to constitute a Legislature, and to delegate certain Powers to the Governor of British Columbia; 3, 4.

BROKERS. *See* LONDON BROKERS RELIEF.

BULLION. *See* COINAGE.

BURGHS (SCOTLAND). *See* MUNICIPAL ELECTIONS (SCOTLAND). PETTY CUSTOMS (SCOTLAND).

C.

CANADA DEFENCES LOAN:

To authorise the Commissioners of Her Majesty's Treasury to guarantee the payment of a loan to be raised by the Government of Canada for the construction of fortifications in that country. Ch. 82. page 530

Short title; Sect. 1.
Power to Treasury to guarantee loan, &c.; 2–5.
Issue out of Consolidated Fund; 6, 7.
Accounts to be laid before Parliament; 8.

CANONGATE ANNUITY TAX. *See* ANNUITY TAX ABOLITION.

CARRIAGE OF STORES. *See* PASSENGERS ACT AMENDMENT.

CASHEL. *See* SLIGO AND CASHEL DISFRANCHISEMENT.

CATTLE DISEASE (IRELAND):

To amend The Cattle Disease Act (Ireland) 1866, (29 & 30 Vict. c. 4.) Ch. 36. page 235

Extending provisions of 29 & 30 Vict. c. 4. relating to providing and applying fund for extinguishing Rinderpest, to all cases of contagious or infectious Cattle Disease; Sect. 1.
Power to Lord Lieutenant and Privy Council to make rules to carry Act into effect; 2.
Steamboat company and other companies to cleanse and disinfect, &c.; 3.
Water and food to be provided by railway companies; 4.
Animals landed in contravention of order to be forfeited; 5.
Evidence of orders; 6.
Certain acts to be offences under this Act; 7.
Penalty for contravening provisions of this Act or orders made in pursuance thereof; 8.
Recovery and application of penalties; 9, 10.
Certificate of inspector under 29 & 30 Vict. c. 4., or this Act; 11.
Interpretation, construction, and short title of Act; 12–14.

CENSUS OF UNITED KINGDOM:

For taking the Census of England. Ch. 107. page 687

Secretary of State to superintend the taking of the census; Sect. 1.
Registrars sub-districts to be formed into enumerator's divisions, and enumerators to be appointed; 2, 3.
Provisions defining the mode of taking the account, &c.; 4–12.
Payments to enumerators and others; 13–15.
Penalty for wilful default, giving false answers, and for refusing information, &c.; 16–19.

For taking the Census in Scotland. Ch. 108. page 693

Secretary of State to superintend census, and copy of this Act to be sent to every sheriff in Scotland; Sects. 1, 2.
Registrars districts to be formed into enumerator's divisions, and enumerators to be appointed; 3, 4.
Provisions defining mode of taking the account; 5–13.
Allowances to enumerators and others employed; 14–16.
Penalties for wilful default, giving false answers, and for refusing information, &c.; 17–20.

For taking the Census of Ireland. Ch. 80. page 526

Interpretation of terms, &c.; Sects. 1, 2.
Account of population to be taken by the Dublin Police Force and the Royal Irish Constabulary, &c.; 3–6.
Penalty for refusing to answer, or giving false answers; 7–9.
Accounts to be certified and transmitted to the office of the Chief Secretary; 10, 11.

CERTIFICATES. *See* NATIONAL DEBT. PEDLARS CERTIFICATES.

CHANNEL ISLANDS. *See* EXTRADITION. TELEGRAPHS.

CHARITABLE FUNDS INVESTMENT:

To amend the Law as to Investment on Real Securities of Trust Funds held for public and charitable purposes. Ch. 34. page 232

Corporations and trustees holding money in trust for any public or charitable purpose may invest the same in real securities; Sect. 1.
Proviso for cases in which the equity of redemption of the premises may be barred or released; 2.
Interpretation of terms; 3.

CHURCH OF ENGLAND. *See* CLERICAL DISABILITIES. ECCLESIASTICAL PATRONAGE.

CIVIL SERVICE OF INDIA. *See* INDIA.

CLERICAL DISABILITIES:

For the relief of persons admitted to the office of Priest or Deacon in the Church of England. Ch. 91. page 572

Short title and interpretation; Sects. 1, 2.
Execution and inrolment by minister of deed of relinquishment, and recording of the same by bishop; 3–7.
Saving for pecuniary liabilities; 8.
SCHEDULES.

CLERK OF PETTY SESSIONS (IRELAND):

To amend the Petty Sessions Clerk (Ireland) Act, 1858 (21& 22 Vict. c. 100.). Ch. 64. page 332

Short title; Sect. 1.
Order for amalgamation of districts may be rescinded; 2.

COINAGE:

To consolidate and amend the Law relating to the Coinage and Her Majesty's Mint. Ch. 10. page 153

Short title and definitions of terms; Sects. 1, 2.
Standard of coins to be as in first Schedule; 3.
Legal tender defined; 4.
Prohibition of making or issuing other coins and tokens; 5.
Contracts, sale, payment, &c. to be made in currency; 6.
Defacing of light gold coin; 7.
Coining of bullion taken to the mint and purchase of bullion by the Mint; 8, 9.
Payment of profits, &c. to Exchequer; 10.
Regulations by proclamation as to coin and coinage; and regulations as to trial of the pyx, &c.; 11–13.
Master and officers of the Mint; 14, 15.
Standard trial plates and weights; 16, 17.
Legal proceedings; 18.
Act (save, &c.) not to extend to any British possession; 19.
Repeal of Acts and parts of Acts in second schedule; 20.
SCHEDULES.

COLLECTOR GENERAL OF RATES. *See* DUBLIN.

COLONIES. *For Acts relating specially to the Colonies, see—*

BRITISH COLUMBIA.
CANADA.
INDIA.
NEW ZEALAND.
SIAM AND STRAITS SETTLEMENTS.

COMMON JURIES. *See* JURIES.

COMMON LAW COURTS. *See* COMMON LAW PROCEDURE (IRELAND). JUDGES JURISDICTION.

COMMON LAW PROCEDURE (IRELAND):

To abolish certain Real Actions in the Superior Courts of Common Law in Ireland, and further to amend the Procedure in the said Courts; and for other purposes. Ch. 109. page 698

Commencement, limitation, and short title of Act; Sects. 1–3.
Dower, Writ of right of dower, and Quare impedit abolished as real actions, and to be commenced by writ of summons and plaint; 4.
In certain cases judge of superior courts may order cause to be tried in civil bill court; 5.
Actions for malicious prosecution, &c. brought in superior courts may be remitted to civil bill court by judge; 6.
Interpretation of terms; 7.

COMMON POOR FUND. *See* METROPOLITAN POOR.

COMMUTATION OF PENSIONS. *See* PENSIONS COMMUTATION.

COMPANIES. *See* JOINT STOCK COMPANIES. LIFE ASSURANCE COMPANIES.

CONFECTIONERY. *See* CUSTOMS AND INLAND REVENUE.

CONSOLIDATED FUND:

To apply certain sums out of the Consolidated Fund to the service of the years ending on the 31st day of March 1869, 1870, and 1871, and preceding years. Ch. 5. page 9

To apply the sum of 9,000,000*l.* out of the Consolidated Fund to the service of the year ending 31st March 1871. Ch. 31. page 222

To apply a sum out of the Consolidated Fund to the service of the year ending the 31st March 1871; and to appropriate the Supplies granted in this Session of Parliament. Ch. 96. page 583

CONSTABULARY FORCE (IRELAND):

To make better provision for the Police Force in the City of Londonderry, and to amend the Acts relating to the Royal Irish Constabulary Force. Ch. 83. page 532

Present police force in Londonderry shall cease to exist; Sect. 1.
Borough of Londonderry constituted a distinct district, and Lord Lieutenant to add any number of men, not exceeding forty-five, to the constabulary force of Londonderry; 2–4.
Inspector General shall transmit to town council of Londonderry half-yearly accounts; 5.
Inspector General to appoint constables for night watch, who shall receive extra remuneration for night duty; 6.
Restrictions as to age; 7.
Superannuation, &c. of constabulary; 8.
Provisions as to rates applicable to support of police establishment to continue in force; 9.
Power to Lord Lieutenant to vary number of constables, &c. for each county, &c.; 10.
Amendment of 28 & 29 Vict. c. 70. as to number of sub-inspectors; 11.
Power to Lord Lieutenant to revise salaries for constabulary force; 12.
Power to appoint veterinary surgeon; 13.
Construction, interpretation, commencement, and short title of Act; 14–17.

CONTRACTS (INDIA). *See* INDIA.

CONVICTS. *See* FELONY.

CORN DUTIES. *See* CUSTOMS (ISLE OF MAN).

COSTS. *See* PROVISIONAL ORDERS.

COUNTIES, UNION OF. *See* SHERIFFS (SCOTLAND).

COUNTY COURTS:

To transfer to the Commissioners of Her Majesty's Works and Public Buildings the property in and control over the buildings and property of the County Courts in England; and for other purposes relating thereto. Ch. 15. page 176

Short title and definition; Sects 1, 2.

COUNTY COURTS—*continued.*
Transfer of property from treasurers of County Courts to Commissioners of Works; 3.
As to providing courts, offices, &c.; 4.
Repeal of Acts in Schedule; 5.

——— *See also* WAGES ATTACHMENT.

COUNTY RATE. *See* NORFOLK BOUNDARY.

CRIME AND OUTRAGE. *See* PEACE PRESERVATION (IRELAND).

CRIMINALS, EXTRADITION OF. *See* EXTRADITION.

CURRAGH OF KILDARE:

To confirm the Award under The Curragh of Kildare Act, 1868 (31 & 32 Vict. c. 60.); and for other purposes relating thereto. Ch. 74. page 409
Confirming award, as in schedules, &c.; Sects. 1, 2.
Depasturing of sheep; 3, 4.
Power to appoint additional bailiffs; 5.
Ranger to have power of occupier in relation to trespasses; 6.
Short title; 7.
SCHEDULES.

CUSTOMS (ISLE OF MAN):

To repeal certain Duties of Customs [upon Corn] in the Isle of Man. Ch. 12. page 163
Short title; Sect. 1.
Repeal of duties of customs imposed by 18 & 19 Vict. c. 97. on corn, &c. brought into the Isle of Man; 2.

To alter certain Duties of Customs upon Refined Sugar in the Isle of Man. Ch. 43. page 248
Short title; Sect. 1.
Alteration of duties from six shillings to four shillings the hundred-weight: Repeal of part of 29 & 30 Vict. c. 23.; 2.

CUSTOMS AND INLAND REVENUE:

To grant certain Duties of Customs and Inland Revenue, and to repeal and alter other Duties of Customs and Inland Revenue. Ch. 32. page 223
Short title; Sect. 1.
Grant of duties of customs in schedule (A.); 2.
Repeal of certain duties of excise, viz.: licenses to foot hawkers in Great Britain and in Ireland: licenses to paper makers, soap makers, and still makers in Scotland and Ireland: also licenses to vendors of playing cards; 3.
Plate license not necessary for sale of watch cases by maker; 4.
Auctioneers license not necessary for sale of fish upon sea-shore; 5.
Farmers may steep and germinate grain to be consumed by animals; 6.
Grant of duties of excise in schedule (B.); 7.
Provisions to be observed in relation to the use of sugar in brewing; 8–10.
As to horses kept for husbandry (32 & 33 Vict. c. 14.); 11.

CUSTOMS AND INLAND REVENUE—*continued.*
Stamp duties on newspapers to cease; 12.
Reduction of duty on certain policies of insurance; 13.
Grant of duties of income tax specified in schedule (C.), and repeal of provisions contained in ss. 6 and 7 of 32 & 33 Vict. c. 14.; 14, 15.
As to duties on inhabited houses: poundage to be divided between assessors and collectors; 16.
SCHEDULE A.—Duties of customs on sugar, confectionery, &c.
„ B.—Duties of excise on sugar.
„ C.—Duties of income tax.

——— *See also* INLAND REVENUE.

CUSTOMS, PETTY. *See* PETTY CUSTOMS (SCOTLAND).

D.

DEBENTURES. *See* MORTGAGE DEBENTURE ACT, 1865.

DEBTORS. *See* ABSCONDING DEBTORS.

DESIGNS, REGISTRATION OF. *See* PROTECTION OF INVENTIONS.

DISEASE AMONG CATTLE. *See* CATTLE DISEASE (IRELAND).

DISFRANCHISEMENT. *See* BRIDGWATER AND BEVERLEY. DUBLIN. NORWICH. SLIGO AND CASHEL.

DISSOLVED BOARDS OF MANAGEMENT, &c.:
To make provision for the proceedings of Boards of Management and Boards of Guardians upon the dissolution of Districts and Unions or the annexation of Parishes to Unions. Ch. 2. page 2
Guardians or managers at time of dissolution, &c. to continue in office to wind up accounts; and may retain services of officers, &c.; Sects. 1, 2.
Provision for continuance of actions, &c.; 3.
Poor Law Board upon notice from managers, &c. to make adjustment; 4.
When union is formed out of parishes the last acting guardians, &c. to continue till guardians are elected; 5.
Accounts of the last acting guardians, &c. to be audited; 6.
As to payment of loans contracted and still due; 7.
Deeds, &c. relating to the relief of the poor transferred to new board of guardians; 8.
Superannuation allowances and compensations to be paid by Guardians of Union; 9.
Section 20 of 30 & 31 Vict. c. 113. extended to a parish added to another parish to form a union; 10.
Provision for valuations of property on dissolution, separation, or amalgamation; 11.
Vesting of property of dissolved unions, &c. in last acting managers or guardians until sold, &c.; 12.
Construction and short title of Act; 13, 14.

DIVIDENDS. *See* APPORTIONMENT, &c. NATIONAL DEBT.

DIVIDENDS AND STOCK ACT, 1869:

For extending to Ireland and amending The Dividends and Stock Act, 1869 (32 & 33 Vict. c. 104). Ch. 47. page 284

Short title, Sect. 1.
Application of 32 & 33 Vict. c. 104. to Public Stock in books of Governor, &c. of Bank of Ireland; 2.
Amendment of section 3 of recited Act; 3.
[*Both Acts repealed by* 33 & 34 Vict. c. 69., *and other provisions made by* 33 & 34 Vict. c. 71. *See* NATIONAL DEBT.]

DOWER. *See* COMMON LAW PROCEDURE (IRELAND).

DUBLIN:

To disfranchise certain Voters of City of Dublin. Ch. 54. page 301

Preamble recites report of Dublin Freemen Commission under 32 & 33 Vict. c. 65.
Disfranchisement of certain voters of the city of Dublin; Sect. 1.
Copy of report printed by the Queen's authority to be evidence; 2.

To enable the officers employed in the Collector-General of Rates' office in the city of Dublin to vote at Parliamentary Elections for that city. Ch. 11. page 163

Preamble recites 31 & 32 Vict. c. 73. and 12 & 13 Vict. c. 91.
Collector-General of rates, and persons employed in his office may vote at parliamentary elections for the city of Dublin; Sect. 1.

——— *See also* SANITARY ACT, 1866.

DYEING WORKS. *See* FACTORIES AND WORKSHOPS.

E.

EAST FLEGG. *See* NORFOLK BOUNDARY.

EAST INDIA. *See* INDIA.

ECCLESIASTICAL PATRONAGE:

To facilitate transfers of Ecclesiastical Patronage in certain case Ch. 39. page 242

Provisions of 3 & 4 Vict. c. 113. s. 73., 4 & 5 Vict. c. 39. s. 22., 31 & 32 Vict. c. 114. s. 12., to authorise transfer of any advowson; Sect. 1.

EDINBURGH. *See* ANNUITY TAX ABOLITION, &c.

EDUCATION. *See* ELEMENTARY EDUCATION. PUBLIC SCHOOLS.

ELECTIONS, MUNICIPAL. *See* MUNICIPAL ELECTIONS (SCOTLAND).

ELECTIONS, PARLIAMENTARY. *See* PARLIAMENTARY FRANCHISE.

ELEMENTARY EDUCATION:

To provide for public Elementary Education in England and Wales. Ch. 75. page 443

Short title, extent of Act, and definition of terms; Sects. 1–3.
School districts as in Schedule; 4.
Proceedings for supply of schools; 5–13.
Management and maintenance of schools; 14–24.

ELEMENTARY EDUCATION—*continued.*
Miscellaneous powers of school board; 25–28.
Constitution of school boards; 29–36.
School board in Metropolis; 37–39.
United school districts; 40–48.
Contributory districts; 49–52.
Expenses of school board; 53–58.
Accounts and audit of school board; 59–62.
Proceedings on default of school board; 63–66.
Returns by local authority, and inquiry by Education Department; 67–72.
Public inquiry; 73.
Attendance of children at school; 74.
Miscellaneous Provisions; 75–95.
Parliamentary Grant, and conditions; 96–99.
Annual report of Education Department; 100.
SCHEDULES.

ELGIN COUNTY (BOUNDARY):
To define the Boundary between the counties of Inverness and Elgin or Moray, in the district of Strathspey; and for other purposes. Ch. 16. page 177
See INVERNESS COUNTY.

ENLISTMENT. *See* ARMY. FOREIGN ENLISTMENT.

ESTABLISHED CHURCH. *See* CLERICAL DISABILITIES. ECCLESIASTICAL PATRONAGE.

ESTATES, IMPROVEMENT OF. *See* LIMITED OWNERS RESIDENCES.

EVIDENCE:
To explain and amend The Evidence Further Amendment Act, 1869 (32 & 33 Vict. c. 68.) Ch. 49. page 285
Interpretation of "court of justice" and "presiding judge" in 32 & 33 Vict. c. 68; Sect. 1.
Short title; 2.
Act not to extend to Scotland; 3.

EXCHEQUER BONDS:
For raising the sum of 1,300,000*l.* by Exchequer Bonds for the service of the year ending 31st March 1871. Ch. 41. page 245

EXCISE. *See* CUSTOMS AND INLAND REVENUE.

EXHIBITIONS, INTERNATIONAL. *See* PROTECTION OF INVENTIONS.

EXPATRIATION. *See* NATURALIZATION.

EXPIRING LAWS:
To continue various expiring Laws. Ch. 103. page 678
Short title; Sect. 1.
Continuance of Acts as in schedule; 2.

EXPORTATION OF SALMON:
To amend the Acts 26 & 27 Vict. c. 10. and 28 & 29 Vict. c. 121. relating to the export of unseasonable Salmon. Ch. 33. page 232
See SALMON EXPORTATION.

EXTRADITION:

For amending the Law relating to the Extradition of Criminals. Ch. 52. page 288

Short title; Sect. 1.
Where arrangement with foreign state for surrender of criminals has been made, Her Majesty may, by Order in Council, direct that this Act shall apply; 2.
Restrictions on surrender of criminals; 3.
Provisions of arrangement for surrender; 4.
Publication and effect of order; 5.
Liability of criminal to surrender; 6.
Order of Secretary of State for issue of warrant in United Kingdom if crime is not of a political character; 7.
Issue of warrant by police magistrate, justice, &c.; 8.
Hearing of case and evidence of political character of crime; 9.
Committal or discharge of prisoner; 10.
Surrender of fugitive to foreign state by warrant of Secretary of State; 11.
Discharge of persons apprehended if not conveyed out of United Kingdom within two months; 12.
Execution of warrant of police magistrate; 13.
Depositions to be evidence. (6 & 7 Vict. c. 76.); 14.
Authentication of depositions and warrants. (29 & 30 Vict. c. 121.); 15.
Jurisdiction as to crimes committed at sea; 16.
Proceedings as to fugitive criminals in British possessions; 17, 18.
Criminal surrendered by foreign state not triable for previous crime; 19.
As to use of forms in second schedule; 20.
Revocation, &c. of Order in Council; 21.
Application of Act in Channel Islands and Isle of Man; 22.
Saving for Indian treaties; 23.
Power of foreign state to obtain evidence in United Kingdom; 24.
Foreign state includes dependencies; 25.
Definition of terms; 26.
Repeal of Acts as in third schedule; 27.
FIRST SCHEDULE.—List of Crimes.
SECOND SCHEDULE.—Forms of Orders, Warrants, &c.
THIRD SCHEDULE.—Acts repealed.

F.

FACTORIES AND WORKSHOPS:

To amend and extend the Acts relating to Factories and Workshops. Ch. 62. page 326

Short title, construction of Act, and definition of terms; Sects. 1–3.
Application of Factory Acts to print works and bleaching and dyeing works; 4.
Repeal of Acts, as in schedule; 5.
Modification of 30 & 31 Vict. c. 103. and 30 & 31 Vict. c. 146. as regards manufactures of preserves of fruit and fish; 6.
SCHEDULES.

FELONY:

To abolish Forfeitures for Treason and Felony, and to otherwise amend the Law relating thereto. Ch. 23. page 197

Forfeiture, &c. abolished; but conviction for treason or felony to be a disqualification for offices, &c.; Sects. 1, 2.
Persons convicted of treason or felony may be condemned in costs; compensation to be awarded to persons defrauded or injured; 3, 4.
Definition of "forfeiture" and "convict;" 5, 6.
When convict shall cease to be subject to operation of the Act; 7.
Convict disabled to sue for or to alienate property, &c.; 8.
Appointment, &c. of administrators of convict's property; 9–11.
Duties, powers, and liabilities of administrators; 12–20.
If no administrator, interim curator may be appointed by justices; 21–23.
Duties, powers, &c. of interim curators; 24–28.
Administrator, interim curator, &c. to be accountable to convict when property reverts; 29.
Property of convict acquired while lawfully at large not to be subject to the operation of this Act; 30.
Judgment in cases of high treason: Repeal of so much of 30 Geo. 3. c. 48. and 54 Geo. 3. c. 146. as relates to drawing and quartering; 31.
Saving of general law as to felony; 32.
Act not to apply to Scotland; 33.

FINANCIAL SECRETARY OF WAR. *See* WAR OFFICE.

FIRE-ARMS. *See* PEACE PRESERVATION (IRELAND).

FISH PRESERVES. *See* FACTORIES AND WORKSHOPS.

FISH, SALE OF, BY AUCTION. *See* CUSTOMS AND INLAND REVENUE.

FOREIGN ENLISTMENT:

To regulate the conduct of Her Majesty's Subjects during the existence of hostilities between foreign states with which Her Majesty is at peace. Ch. 90. page 560

Short title, application, and commencement of Act; Sects. 1–3.
Penalty on enlistment in service of foreign state, penalties on illegal enlistment, &c.; 4–7.
Penalties on illegal shipbuilding, and on illegal expeditions, &c.; 8–13.
Illegal prize brought into British ports to be restored; 14.
Licence by Her Majesty how granted; 15.
Jurisdiction in respect of offences by persons against Act; 16–18.
Jurisdiction in respect of forfeiture of ships for offences against Act, and regulations as to procedure against the offender and against the ship; 19–24.
Powers of Secretary of State or chief executive authority; 25–26.
Appeal from Court of Admiralty; 27.
Indemnity to officers and to Secretary of State or chief executive authority; 28–29.
Interpretation of terms; 30.
Repeal of Foreign Enlistment Act (59 Geo. 3. c. 69.) with savings, &c.; 31–33.

FOREIGN STATES. *See* EXTRADITION. FOREIGN ENLISTMENT.

FORFEITURES. *See* FELONY.

FORGERY:

To further amend the Law relating to indictable offences by Forgery. Ch. 58. page 308

Short title; Sect. 1.
Act to be construed with 24 & 25 Vict. c. 98, &c.; 2.
Punishment for forgery of stock certificates, &c, and for personation of owners of stock; 3, 4.
Punishment for unlawfully engraving plates, &c.; for stock certificates, &c., and for forgery of certificates of transfer of stocks from England to Ireland, &c.; 5, 6.
Extension of Forgery Act (24 & 25 Vict. c. 98.) to Scotland; 7, 8.

——— *See also* STATUTE LAW REVISION.

FRANCHISE, PARLIAMENTARY. *See* BRIDGWATER AND BEVERLEY. DUBLIN. NORWICH. SLIGO AND CASHEL.

FRUIT AND FISH PRESERVES. *See* FACTORIES AND WORKSHOPS.

G.

GAS AND WATER WORKS FACILITIES:

To facilitate in certain cases the obtaining of powers for the construction of Gas and Water Works and for the supply of Gas and Water. Ch. 70. page 356

Short title and interpretation of terms; Sect. 1, 2.
Description of cases within the Act; 3.
Provisional Orders authorising Gas and Water undertakings; 4–13.
Queen in Council may substitute any department for Board of Trade for the purposes of Act; 14.
Act not to apply to the metropolis; 15.
SCHEDULES.

GLEBE LOANS (IRELAND):

To amend the Act 1 & 2 W. 4. c. 33., in part, and to afford facilities for obtaining Loans for the erection, enlargement, and improvement of Glebe Houses, and for the acquirement of lands for Glebes, in Ireland. Ch. 112. page 715

Short title and interpretation of terms; Sects. 1, 2.
The Commissioners of Public Works may make advances to such amounts as may be sanctioned; 3, 4.
Security for repayment of loans; 5, 6.
Loan to be repaid by annuity; 7.
Mortgages, bonds, &c. under this Act exempt from stamp duty; 8.
Sects. 37 and 38 of 1 & 2 Will. 4. c. 33. repealed; 9.
Duration of Act; 10.

GRAIN FOR ANIMALS. *See* CUSTOMS AND INLAND REVENUE.

GREENWICH HOSPITAL :

To amend the Law relating to the repayment to the Consolidated Fund of money expended for the benefit of Greenwich Hospital. Ch. 100. page 675

Short title and construction ; Sect. 1.
Section 51 of 28 & 29 Vict. c. 89. repealed, and other provisions substituted ; 2.

GUARDIANS OF THE POOR. *See* DISSOLVED BOARDS OF MANAGEMENT, &c.

GUN LICENCES :

To grant Duty of Excise on Licences to use Guns. Ch. 57. page 305

Short title and definition of terms ; Sects. 1, 2.
Duty on licence to use a gun 10*s.*, and to be under the management of the Commissioners of Inland Revenue, &c. ; 3–6.
Penalty on using or carrying gun without licence, and licence to be produced on demand under penalty of 10*l.* ; 7–9.
Authorised officers may enter upon lands ; 10.
Licence to be void if person be convicted of any offence under sect. 30. of 1 & 2 W. 4. c. 32., or under 2 & 3 W. 4. c. 68. ; 11.
Not to interfere with any other Act requiring authority to keep fire-arms ; 12.

GUNPOWDER. *See* PEACE PRESERVATION (IRELAND).

H.

HAWKERS. *See* INLAND REVENUE. PEDLARS.

HIGH TREASON, JUDGMENT IN CASES OF. *See* FELONY

HOUSE DUTIES. *See* INLAND REVENUE.

HUSBANDRY HORSES. *See* INLAND REVENUE

I.

INCOME TAX. *See* INLAND REVENUE.

INDIA :

To make better provision for making laws and regulations for certain parts of India, and for certain other purposes relating thereto. Ch. 3. page 6

Power to Executive Government of British India to make regulations for certain parts thereof ; Sect. 1.
Copies of regulations to be sent to Secretary of State ; 2.
Lieutenant governors and chief commissioners to be members ex officio of the Governor General's Council for purpose of making laws and regulations ; 3.
Section 49 of 3 & 4 W. 4. c. 85. repealed ; 4.
Procedure in case of difference between the Governor General and the majority of his council ; 5.
Power to appoint natives of India to certain offices without certificate from Civil Service Commissioners ; 6.

INDIA—*continued.*

To render valid certain Contracts informally executed in India. Ch. 59. page 310

Preamble recites 22 & 23 Vict. c. 41. (Government of India).
Deeds, contracts, and instruments executed in India valid notwithstanding certain defects of execution; Sect. 1.
Power to authorities in India to vary forms of execution; 2.

INHABITED HOUSE DUTY. *See* CUSTOMS AND INLAND REVENUE.

INLAND REVENUE:

To make provision for the assessment of Income Tax, and to amend the law relating to Inland Revenue. Ch. 4. page 8

Application of existing Income Tax Acts to duties to be granted; Sect. 1.
Returns, &c. under 32 & 33 Vict. c. 67. (Valuation Metropolis) to be taken as returns, &c. for assessment of Duties under Income Tax Act; 2.
Commissioners for general purposes to execute Acts relating to house duties; 3.
Short title; 4.

For the repeal of certain Enactments relating to the Inland Revenue. Ch. 99. page 670

Short title and commencement of Act; Sect. 1.
Enactments in schedule (relating to Stamp Duties) repealed; 2.
Interpretation; 3.

To grant certain Duties of Customs and Inland Revenue, and to repeal and alter other Duties of Customs and Inland Revenue. [Sugar, and Sugar for Brewing; Confectionery; Perfumed Spirits; Income Tax; Licenses to Hawkers, and to Makers of Soap, Playing-cards, and Stills; Plate Licenses; Auctioneers Licenses; Grain for Animals; Husbandry Horses: Stamp Duties on Newspapers and on certain Policies of Insurance.] Ch. 32. page 223

To grant Duty of Excise on Licenses to use Guns. Ch. 57. page 305

INSURANCE POLICIES. *See* INLAND REVENUE.

INVENTIONS, PROTECTION OF. *See* PROTECTION OF INVENTIONS.

INVERNESS COUNTY, &c.:

To define the boundary between the counties of Inverness and Elgin or Moray, in the district of Strathspey; and for other purposes. Ch. 16. page 177

Short title; Sect. 1.
Transfer of portions of counties described in schedules A. and B. to counties of Inverness and Elgin respectively; 2, 3.
Transfer of roads and bridges, and as to contracts for maintenance of roads; 4–6.
Reservation of rights of ministers with respect to stipends, of schoolmasters to Dick Bequest, and of inhabitants of Duthil and Abernethy as regards Elgin Institution; 7–9.
Court-house at Grantown to be property of the two counties; 10.

INVERNESS COUNTY, &c.—*continued.*
Payment of proportion of expense of court-house by county of Elgin and county of Inverness ; 11, 12.
Sheriff of Inverness and justices of the peace may hold courts within the village of Grantown ; 13, 14.
Saving assessments, &c. already imposed ; 15.
Expenses of Act ; 16.
SCHEDULES.

INVESTMENT OF CHARITABLE FUNDS. *See* CHARITABLE FUNDS INVESTMENT.

IRELAND. *For Acts relating specially to Ireland, see—*

CATTLE DISEASE.
CENSUS.
CLERK OF PETTY SESSIONS.
COMMON LAW PROCEDURE.
CONSTABULARY FORCE.
CURRAGH OF KILDARE.
DUBLIN.
GLEBE LOANS.
LANDLORD AND TENANT.
MATRIMONIAL CAUSES, &c.
PEACE PRESERVATION.
SALE OF POISONS.
SANITARY ACT, 1866.
SLIGO AND CASHEL.

IRISH LAND ACT. *See* LANDLORD AND TENANT (IRELAND).

ISLE OF MAN. *See* CUSTOMS. EXTRADITION. NOTICES. SURVEY. TELEGRAPHS.

J.

JOINT STOCK COMPANIES :
To facilitate compromises and arrangements between creditors and shareholders of Joint Stock and other Companies in Liquidation. Ch. 104. page 682
Short title ; Sect. 1.
Where compromise proposed Court of Chancery may order a meeting of creditors, &c. to decide as to such compromise ; 2.
Interpretation and construction of Act ; 3, 4.
——— *See also* LIFE ASSURANCE COMPANIES.

JUDGES JURISDICTION :
To extend the Jurisdiction of the Judges of the Superior Courts of Common Law at Westminster. Ch. 6. page 10
Short title of Act ; Sect. 1.
Chief Judge of Superior Court may request assistance in the despatch of business pending in his court ; 2, 3.
Two divisions of any court may be sitting at one time in banc ; 4.
Any number of sittings may be held at Nisi Prius at one time ; 5.
Definition of Chief Judge ; 6.

JURIES :
To amend the Laws relating to the qualifications, summoning, attendance, and remuneration of Special and Common Juries. Ch. 77. page 485
Commencement, application, and short titles of Acts ; Sects. 1–3.
Construction of Act and definition of terms ; 4, 5.
Qualification of jurors ; 6, 7.

JURIES—*continued.*

Aliens to be qualified after ten years domicile ; 8.
Persons exempt from serving on juries ; 9.
Convicts, outlaws, &c. disqualified ; 10.
Overseers to specify special jurors in list ; 11–13.
Justices to certify jury lists after revision ; 14.
Special jurors' names to be retained in jurors book ; 15.
Special juries for London and Middlesex ; 16–18.
Summoning of jurors ; 19.
Jurors entitled to six days notice ; 20.
Sheriff to make regulations as to attendance ; 21.
Payment of jurors ; 22.
Jurors to be allowed fire and refreshment ; 23.
Judges to make general orders ; 24.
Jury lists in the city of London to be made as before ; 25.
SCHEDULE of persons exempt from serving on juries.

JUSTICE, ADMINISTRATION OF. *See*—

ABSCONDING DEBTORS.
ATTORNEYS AND SOLICITORS.
CLERK OF PETTY SESSIONS.
COMMON LAW PROCEDURE.
EVIDENCE.
EXTRADITION.
FELONY.
FORGERY.
JUDGES JURISDICTION.
JURIES.
LARCENY.
LIVERPOOL ADMIRALTY, &c.
MAGISTRATES (IRELAND).
MARRIED WOMEN.
NATURALIZATION.
NOTICES (ISLE OF MAN).
PEACE PRESERVATION.
PROTECTION OF INVENTIONS.
SALE OF POISONS.
SHERIFFS (SCOTLAND).
WAGES.

JUSTICES OF THE PEACE. *See* MAGISTRATES (SCOTLAND).

K.

KILDARE, CURRAGH OF :

To confirm the Award under the Curragh of Kildare Act, 1868 (31 & 32 Vict. c. 60.), and for other purposes relating thereto. Ch. 74. page 409

L.

LANDLORD AND TENANT (IRELAND) :

To amend the Law relating to the Occupation and Ownership of Land in Ireland. Ch. 46. page 252

PART I.—*Law of Compensation to Tenants.*

Legality of Ulster tenant-right custom, and of tenant custom other than Ulster custom ; Sects. 1, 2.
Compensation in absence of custom ; 3.
Compensation in respect of improvements ; 4–6.
Compensation in respect of payment to incoming tenant, and in respect of crops ; 7, 8.
Limitation as to disturbance in holding ; 9.
Exception in case of lands required for labourers cottages ; 10.

LANDLORD AND TENANT (IRELAND)—*continued.*

Derivative title of tenant; 11.
Partial exemption of certain tenancies; 12.
Restriction as to compensation in certain cases of assignment; 13.
Eviction in certain cases not to be deemed a disturbance of tenancy; 14.
Exemption of certain lands; 15.
Proceedings in respect of claims; 16–21.
As to award of compensation by Civil Bill Court or Court of Arbitration; 22–25.
Powers, &c. of limited owners; 26–31.

PART II.—*Sale of Land to Tenants.*

Application to Court for sale of holding; 32.
Restrictions on sale of holding; 33.
Sale of holding by Court; 34.
Estate of purchaser to be free from incumbrances; 35.
Certain charges not incumbrances; 36.
Distribution of purchase money, &c.; 37–39.
General powers of Court in conduct of sale of land, &c.; 40–41.

PART III.—*Advances by and Powers of Board.*

Advances to landlords for compensation for improvements, &c.; 42–43.
Advances to tenants for purchase of holdings, &c.; 44–45.
Landed Estates Court to afford facilities for purchase by occupying tenants; 46.
Advances to facilitate purchases of entire estates; 47.
Advances charged on estate by way of annuity; 48–50.
Power of owner to redeem annuity; 51.
Power of Board to commute and compromise; 52.
Control of Board by Treasury, &c.; 53.
Issues of moneys to Board by Treasury; 54.
Repayment to Consolidated Fund of moneys advanced; 55.
Duty of Civil Bill Court as to charging orders; 56.

PART IV.—*Supplemental (Legal Proceedings, &c.)*

Stamp duty on notice to quit; 57.
Regulations as to notice to quit; 58.
Administration on death of tenant; 59.
Provisions as to married women, and other persons under disability; 60, 61.
Sittings of Civil Bill Court, and judges and officers of Civil Bill Courts, &c.; 62–64.

PART V.—*Miscellaneous.*

Mode of payment of grand jury cess in certain cases; 65.
Where value of premises does not exceed 4*l.* immediate lessor to pay grand jury cess; 66.
Exception as to county cess levied in certain cases; 67.
Non-liability for rent for land covered by public roads; 68.
Tenancies at will; 69.
General definitions; 70.
Agricultural or pastoral holdings only subject to Act; 71.
Short title of Act; 72.
Application of Act; 73.
SCHEDULE.

LARCENY (ADVERTISEMENTS):

To amend the Law relating to Advertisements respecting Stolen Goods. Ch. 65. page 335

Preamble recites sect. 102 of 24 & 25 Vict. c. 96. (Larceny Act).
Short title ; Sect. 1.
Definition of "Newspaper ;" 2.
Limitation of actions for advertisements of reward for return of stolen property ; 3.
Stay of proceedings in action brought before passing of Act ; 4.

LEASES :

To declare the Stamp Duty chargeable on certain Leases. Ch. 44. page 248

——— *See also* STAMP DUTIES.

LEGAL TENDER. *See* COINAGE.

LEITH DOCKS. *See* ANNUITY TAX ABOLITION.

LICENCES. *See* GUN LICENCES. INLAND REVENUE. STAMP DUTIES. WINE AND BEERHOUSES.

LIFE ASSURANCE COMPANIES :

To amend the Law relating to Life Assurance Companies. Ch. 61. page 314

Short title and interpretation of terms ; Sects. 1, 2.
Deposit by Company with the Accountant General of Court of Chancery ; 3.
Separation of life assurance from other business ; 4.
Statements to be made by companies ; 5–10.
Copies of statements to be given to shareholders, &c. ; 11.
List of shareholders ; 12.
Deed of settlement to be printed ; 13.
Provisions for cases of amalgamation or transfer ; 14, 15.
Documents may be transferred from Board of Trade to registry of joint stock companies, and to be received in evidence ; 16, 17.
Penalty for non-compliance with Act, and for falsifying statements, &c. ; 18, 19.
Penalties how to be recovered and applied ; 20.
Other circumstances under which company may be wound up by the Court of Chancery ; 21.
Power to Court to reduce contracts ; 22.
Notices under this Act to policy holders ; 23.
Statements, &c. to be laid before Parliament ; 24.
Exceptions to this Act ; 25.
SCHEDULE of Forms.

LIMITED OWNERS RESIDENCES :

To enable the owners of Settled Estates in England and Ireland to charge such estates, within certain limits, with the expense of building mansions as residences for themselves. Ch. 56. page 303

Short title ; Sect. 1.
Act to be construed with 27 & 28 Vict. c. 114. (Improvement of Land Act, 1864) ; 2.
What to be deemed improvements within meaning of recited Act ; 3.

LIMITED OWNERS RESIDENCES—*continued.*
Limit as to sum to be charged for mansion houses; 4.
Mode of calculating increased value resulting from outlay; 5, 6.
Discretionary power of certifying where erection of mansion house suitable, &c.; 7.
Insurance against fire; 8.
Priority of charges; 9.
Act not to apply to Scotland; 10.

LIQUIDATION OF COMPANIES. *See* JOINT STOCK COMPANIES.

LIVERPOOL ADMIRALTY DISTRICT REGISTRAR:
For establishing a District Registrar of the High Court of Admiralty in England at Liverpool. Ch. 45. page 249
Short title; Sect. 1.
Power to establish Court of Admiralty in Liverpool; 2.
Appointment of registrar, clerks, and officers; 3–5.
Qualification, powers, &c. of registrar; 6–8.
Where suits to be instituted; 9.
Appeal to High Court of Admiralty; 10.
Nautical assessors; 11, 12.
Removal of suits or appeal; 13.
Scale of costs to be prescribed; 14.
Application of fees; 15.
General orders for regulating practice, &c. to be made; 16, 17.
If salaries paid by Parliament fees shall be collected by stamps; 18.
Not to abridge power of registrar of High Court of Admiralty; 19.

LOANS. *See* CANADA. GLEBE LOANS (IRELAND). METROPOLITAN BOARD OF WORKS. NEW ZEALAND.

LONDON BROKERS RELIEF:
To relieve the Brokers of the City of London from the supervision of the Court of Mayor and Aldermen of the said City. Ch. 60. page 311
Preamble recites 6 Anne, c. 68. and 57 Geo. 3. c. lx.
Short title; Sect. 1.
Jurisdiction of court of alderman over brokers to cease, and no bond to be enforced so far as relates to jurisdiction of court over brokers; 2, 3.
Pending proceedings not to be prejudiced, and existing rights saved; 4, 5.
Brokers committing fraud to be disqualified; 6.

LONDONDERRY POLICE. *See* CONSTABULARY FORCE (IRELAND).

M.

MAGISTRATES (SCOTLAND):
To enable the senior Magistrate of populous places in Scotland to act ex officio as a Justice of the Peace and Commissioner of Supply for the County in which the said populous Place is situated. Ch. 37. page 240
——— *See also* MUNICIPAL ELECTIONS (SCOTLAND).

MAN, ISLE OF. *See* CUSTOMS. EXTRADITION. NOTICES. SURVEY. TELEGRAPHS.

MANSIONS. *See* LIMITED OWNERS RESIDENCES.

MARINE MUTINY:

For the regulation of Her Majesty's Royal Marine Forces while on shore. Ch. 8. page 75

MARRIAGES (IRELAND). *See* MATRIMONIAL CAUSES, &c. (IRELAND).

MARRIED WOMEN'S PROPERTY:

To amend the Law relating to the Property of Married Women. Ch. 93. page 577

Earnings, &c. of a married woman, acquired by her in any occupation carried on separately from her husband, to be deemed her own property; Sect. 1.

Deposits in savings banks, and annuities granted under certain Acts, in name of a married woman to be deemed her separate property; 2.

As to married women's property in the funds, in a joint stock company, and in an industrial, provident, friendly, building, or loan society; 3–5.

Deposit of moneys in fraud of creditors invalid; 6.

Personal property, not exceeding 200*l.*, coming to a married woman to be her own; 7.

Freehold property coming to a married woman, rents and profits only to be her own; 8.

Question between husband and wife as to ownership of property how to be settled; 9.

Married woman may effect policy of insurance, and as to insurance by husband for benefit of his wife; 10.

Married woman may maintain an action for recovery of her separate property; 11.

Husband not to be liable for his wife's debts contracted before marriage; 12.

Married woman having separate property to be liable for maintenance of her husband if he become chargeable to parish; 13.

Married woman having separate property to be liable for maintenance of her children; 14.

Commencement, limits, and short title of Act; 15–17.

MASTER OF THE MINT. *See* COINAGE.

MATRIMONIAL CAUSES, &c. (IRELAND):

To provide for the administration of the Law relating to Matrimonial Causes and Matters, and to amend the Law relating to Marriages in Ireland. Ch. 110. page 701

Short title, commencement and limitation of Act, and interpretation of terms; Sects. 1–4.

Provisions respecting Matrimonial Causes and Matters; 5–31.

Churches in which marriages may be celebrated, &c.; 32–34.

Provisions as to licences; 35–37.

Legalization of marriages of persons of different religious persuasions; 38.

MATRIMONIAL CAUSES, &c. (IRELAND)—*continued.*
Avoidance of marriage in wilful violation of the Act; and repeal of so much of 19 Geo. 2. c. 13. (I.) as respects marriage between a Protestant and a Roman Catholic, when celebrated by a Roman Catholic priest; 39.
Exemption of clergyman or priest from penalty; 40.
Amendment of 26 & 27 Vict. c. 27.; this Act and 7 & 8 Vict. c. 81. and 26 & 27 Vict. c. 27. to be construed together; 41, 42.
SCHEDULE.

MEDICAL OFFICERS SUPERANNUATION:
To provide for Superannuation Allowances to Medical Officers of Unions, Districts, and Parishes in England and Wales. Ch. 94. page 582
Power to guardians, with consent of Poor Law Board, to grant superannuation allowance to medical officers in certain cases; Sect. 1.
No allowance to be allowed without a certificate of inspector; 2.
Short title, and construction of Act with the Poor Law Amendment Act, 1834; 3.

MEDICINES. *See* SALE OF POISONS (IRELAND).

MEETING OF PARLIAMENT:
To amend the Acts 37 Geo. 3. c. 127. and 39 & 40 Geo. 3. c. 14. Ch. 81. page 529
Short title; Sect. 1.
Parliament may be summoned by proclamation to meet on any day not less than six days instead of fourteen days as heretofore; 2.

METROPOLITAN BOARD OF WORKS:
For making further provision respecting the borrowing of money by the Metropolitan Board of Works. Ch. 24. page 205
Short titles, and construction of Act with 32 & 33 Vict. c. 102.; Sect. 1.
Composition for stamp on transfers of stock, and on transfers of terminable annuities; 2–4.
Exemption of transfers from stamp; 5.
Payment of composition, and recovery thereof; 6.
Amendment of section 11. of 32 & 33 Vict. c. 102.; 7.
Alteration of reference as to stock certificates in event of amendment of Stock Certificate Act, 1863 (26 & 27 Vict. c. 28.); 8.

METROPOLITAN POOR:
To provide for equal distribution over the Metropolis of a further portion of the charge for the relief of the Poor. Ch. 18. page 184
Maintenance of in-door poor to be a charge upon the Metropolitan Common Poor Fund; Sect. 1.
Maintenance of officers to be allowed as part of their salaries; 2.
Financial statement of guardians to be delivered to vestry; 3.
Construction and short title; 4.

MILITARY STORES. *See* PASSENGERS ACT AMENDMENT.

MILITIA:

To amend the Acts relating to the Militia of the United Kingdom. Ch. 68. page 340

Amendment of the Acts relating to the drawing out and embodiment of the Militia in cases of emergency; Sect. 1.
Parliament to be summoned within ten days; 2.

——— *See also* ARMY.

MINT, THE:

To consolidate and amend the law relating to Coinage and Her Majesty's Mint. Ch. 10. page 153

See COINAGE.

MONTROSE ANNUITY TAX. *See* ANNUITY TAX ABOLITION, &c.

MORTGAGE DEBENTURE ACT, 1865:

To amend The Mortgage Debenture Act, 1865 (28 & 29 Vict. c. 78.) Ch. 20. page 188

Construction of Act and interpretation of terms; Sects. 1, 2.
Repeal of certain sections of 28 & 29 Vict. c. 78.; 3.
Nature of securities on which debentures may be founded; 4.
Statutory declaration in lieu of voluntary declaration; 5.
Company to file return in office of Land Registry; 6.
Registered securities to be charged with payment of debentures, and not to be applicable for any other purpose, &c.; 7.
Proceedings on redemption of securities; 8.
Discharge of securities; 9, 10.
Inspection of registers and returns, &c.; 11, 12.
Value of mortgage or security shall be deemed to be amount of principal money, &c. for purpose of quarterly returns; 13.
If not otherwise provided, value of annuities, &c. to be estimated by an actuary; 14.
Form of mortgage debenture; 15.
Terms on which mortgage debentures may be issued; 16.
Entry in register of discharge of mortgage debenture; 17.
Company not exempt from Joint Stock Companies Acts; 18.
SCHEDULE of Forms.

MUNICIPAL ELECTIONS (SCOTLAND):

To amend the laws for the Election of the Magistrates and Councillors of Royal and Parliamentary Burghs in Scotland. Ch. 92. page 574

Short title, and interpretation of terms; Sects. 1, 2.
Election of councillors where number of persons proposed does not exceed vacancies to be supplied, and election of Commissioners or trustees along with town councillors; 3, 4.
Order of retirement of councillors to be determined by the Council; 5.
Preparation of municipal registers in burghs which do not return members to Parliament; 6.
Cost of municipal registers; 7.
Municipal elections in burghs divided into wards under 31 & 32 Vict. c. 108.; 8.
Expense of municipal elections may be defrayed out of assessments for registration; 9.
SCHEDULE.

MUTINY:

For punishing Mutiny and Desertion, and for the better payment of the Army and their quarters. Ch. 7. page 11

For the regulation of Her Majesty's Royal Marine Forces while on shore. Ch. 8. page 75

N.

NATIONAL DEBT:

For consolidating, with Amendments, certain Enactments relating to the National Debt. Ch. 71. page 365

Short title; Sect. 1.
Division of Act into eight parts; viz.:
Part I.—Preliminary; 1–4.
Part II.—Denominations and Incidents of Stock; 5–11.
Part III.—Payment of Dividends; 12–21.
Part IV.—Transfer; 22–25.
Part V.—Stock Certificates; 26–42.
Part VI.—Transfer between England and Ireland; 43–50.
Part VII.—Unclaimed Dividends; 51–68.
Part VIII.—Miscellaneous Provisions; 69–74.
SCHEDULES.

——— *See also* STATUTE LAW REVISION.

NATURALIZATION:

To amend the Law relating to the legal condition of Aliens and British Subjects. Ch. 14. page 166

Short title; Sect. 1.
Status of Aliens in the United Kingdom; 2–5.
Expatriation:—Capacity of British subject to renounce his allegiance; 6.
Naturalization and resumption of British Nationality; 7–9.
National status of married women and infant children; 10.
Regulations as to registration, and evidence; 11, 12.
Savings; 13–15.
Power of colonies to legislate with respect to naturalization; 16.
Definition of terms; 17.
Repeal of Acts in Schedule; 18.

To amend the Law relating to the taking of Oaths of Allegiance on Naturalization. Ch. 102. page 677

Recites 33 & 34 Vict. c. 14.
Regulations as to oaths of allegiance; Sect. 1.
Penalty on false declaration; 2.
Construction and short title of Act; 3.

NAVAL STORES. *See* PASSENGERS ACT AMENDMENT.

NEUTRALITY. *See* FOREIGN ENLISTMENT.

NEWSPAPERS. *See* CUSTOMS AND INLAND REVENUE. LARCENY (ADVERTISEMENTS). PEACE PRESERVATION (IRELAND). POST OFFICE.

NEW ZEALAND:

For authorising a guarantee of a loan to be raised by the Government of New Zealand for the construction of roads, bridges, and communications in that country, and for the introduction of settlers into that country. Ch. 40. page 243

Short title; Sect. 1.
Power to Treasury to guarantee loan, &c.; 2–4.
Alteration of Acts of Colonial Legislature in certain events; 5.
Issue of loan out of Consolidated Fund, &c.; 6, 7.
Accounts to be laid before Parliament; 8.

NORFOLK BOUNDARY:

To declare the Hundred in which a Piece of Land in the County of Norfolk is situate, and to provide for the Assessment of the said Piece of Land to the County Rate. Ch. 85. page 537

Short title; Sect. 1.
Annexation of part of hamlet of South Town to the hundred of East Flegg; 2.
Assessment to county rate of land annexed to hundred of East Flegg; 3.

NORTH LEITH. *See* ANNUITY TAX ABOLITION.

NORWICH VOTERS DISFRANCHISEMENT:

To disfranchise certain Voters of the City of Norwich. Ch. 25. page 207

Disfranchisement of certain voters of the city of Norwich; Sect. 1.
Persons against whom proceedings have been instituted not disqualified until adjudged guilty of bribery; 2.
Copies of report as printed by Queen's Printer to be evidence; 3.

NOTICES (ISLE OF MAN):

To repeal the Act 7 W. 4. & 1 Vict. c. 45. "to alter the mode of "giving Notices for the holding of Vestries, of making Proclama- "tion in cases of Outlawry, and of giving Notices on Sundays in "respect to various matters," so far as such Act relates to the Isle of Man. Ch. 51. page 287

O.

OATHS OF ALLEGIANCE. *See* NATURALIZATION.

OCCUPATION, &c. OF LAND. *See* LANDLORD AND TENANT (IRELAND).

ORDNANCE SURVEY. *See* SURVEY OF GREAT BRITAIN, &c.

ORDNANCE, SURVEYOR-GENERAL OF. *See* WAR OFFICE.

OWNERS OF SETTLED ESTATES. *See* LIMITED OWNERS RESIDENCES.

P.

PAPER-MAKERS LICENSES. *See* CUSTOMS AND INLAND REVENUE.

PARLIAMENT, MEETING OF. *See* MEETING OF PARLIAMENT.

PARLIAMENTARY COMMITTEES. *See* PROVISIONAL ORDERS.

PARLIAMENTARY FRANCHISE. *See* BRIDGWATER AND BEVERLEY. DUBLIN. NORWICH. SLIGO AND CASHEL.

PARLIAMENTARY PROCEEDINGS. *See* POST OFFICE.

PASSENGERS ACT AMENDMENT:

To authorise the carriage of Naval and Military Stores in Passenger Ships. Ch. 95. page 582

Preamble recites section 29 of 18 & 19 Vict. c. 119.
Short title and construction of Act; Sects. 1, 2.
Secretary of State may authorise carriage of naval and military stores in passenger ships, notwithstanding section 29 of 18 & 19 Vict. c. 119.; 3.

PATENT RIGHTS. *See* PROTECTION OF INVENTIONS.

PATRONAGE, ECCLESIASTICAL:

To facilitate Transfers of Ecclesiastical Patronage in certain cases. Ch. 39. page 242

Provisions of 3 & 4 Vict. c. 113. s. 73., 4 & 5 Vict. c. 39. s. 22., 31 & 32 Vict. c. 114. s. 12., to authorise transfer of any advowson; Sect. 1.

PAUPERS CONVEYANCE:

For removing doubts respecting the payment of Expenses incurred in the Conveyance of Paupers in certain cases not expressly provided for by Law. Ch. 48. page 285

Poor Law Board to define cases in which guardians may pay expense of conveying paupers; Sect. 1.
Short title, and Act to be construed with 3 & 4 Will. 4. c. 76.; 2.

PEACE PRESERVATION (IRELAND):

To amend The Peace Preservation (Ireland) Act, 1856, (19 & 20 Vict. c. 36.) and for other purposes relating to the Preservation of Peace in Ireland. Ch. 9. page 130

Short title; Sect. 1.
Act to apply to Ireland only, and to continue till 1st August 1871; 2.
General definitions of terms; 3.
Special definition of terms. Construction of Act; 4, 5.
Persons having game licences also to have licences to have and carry arms. Special licence for revolvers; 6.
Punishment for carrying or having arms in proclaimed district; 7.
Application of 15 & 16 Geo. 3. c. 21. (I.) and 1 & 2 Will. 4. c. 44. to proclaimed districts; 8.
Section 14 of 11 & 12 Vict. c. 2. (Crime and Outrage) repealed; 9.
Powers of persons acting under search warrants in proclaimed districts to seize arms, &c.; 10.
As to sale of gunpowder and arms in proclaimed districts; 11, 12.
In proclaimed districts justices may summon persons suspected of being capable of giving evidence; 13.
Persons charged with carrying or having arms may, in certain cases, be admitted to bail; 14.
Power to issue search warrants for documents in handwriting of persons suspected of writing threatening letters; 15.
As to the posting of proclamations, &c.; 16, 17.
Special proclamations by Lord Lieutenant; 18–22.

PEACE PRESERVATION (IRELAND)—*continued.*
Arrest of persons out at night under suspicious circumstances; 23.
Closing of public houses by order of Lord Lieutenant; 24.
Power to arrest strangers in specially proclaimed district; 25.
Summary proceedings in certain cases; 26–28.
Change of venue on suggestion of Attorney-General: 29.
General provisions as to seizure of newspapers, printing presses, type, &c.; 30–34.
Regulations as to manufacture and sale of gunpowder and fire-arms; 35–37.
Power of apprehending absconding witnesses; 38.
Power to grand jury to present compensation to be paid in certain cases of murder or maiming; 39.
Recovery of penalties; 40.
As to applicability of certain enactments; 41.
SCHEDULE of Forms.

PEDLARS CERTIFICATES:
For granting Certificates to Pedlars. Ch. 72. page 380
Short title, commencement of Act, and interpretation of terms; Sect. 1–3.
Certificates to be obtained by pedlars; 4–16.
Pedlar to show certificate to certain persons on demand, and police empowered to inspect pedlar's pack; 17, 18.
Licenses granted before Act to remain in force; 19.
Summary proceedings for offences; 20.
Application of fees; 21.
Certificate not required by commercial travellers, sellers of fish, or sellers in fairs; 22.
Reservation of powers of local authority; 23.
SCHEDULE.

PENSIONS COMMUTATION:
For amending the Sixth Section of the Pensions Commutation Act, 1869 (32 & 33 Vict. c. 32.). Ch. 101. page 676

PERFUMED SPIRITS. *See* CUSTOMS AND INLAND REVENUE.

PETTY CUSTOMS (SCOTLAND):
To empower magistrates and town councils of burghs in Scotland to abolish petty customs and to levy a rate in lieu thereof. Ch. 42. page 247
Interpretation of terms; Sect. 1.
Petty customs may be abolished by council; saving in respect of creditors; 2, 3.
As to boundaries of burghs; 4.
Extent of Act; 5.

PETTY SESSIONS CLERK (IRELAND):
To amend the Petty Sessions Clerk (Ireland) Act, 1858 (21 & 22 Vict. c. 100.). Ch. 64. page 332
Short title; Sect. 1.
Order for amalgamation of districts may be rescinded; 2.

PLATE LICENSES. *See* INLAND REVENUE.

PLAYING CARDS. *See* INLAND REVENUE.

POISONS. *See* SALE OF POISONS (IRELAND).

POLICE. *See* CONSTABULARY FORCE (IRELAND).

POLICIES OF INSURANCE. *See* CUSTOMS AND INLAND REVENUE.

POOR—POOR LAWS. *See* DISSOLVED BOARDS OF MANAGEMENT. MEDICAL OFFICERS, &c. METROPOLITAN POOR. PAUPERS CONVEYANCE.

POPULATION. *See* CENSUS OF UNITED KINGDOM.

POST OFFICE:

For further regulation of Duties of Postage, and for other purposes relating to the Post Office. Ch. 79. page 521

Short title, and interpretation of terms; Sects. 1, 2.
As to Channel Islands and Isle of Man; 3.
Repeal, &c. of enactments as in schedule; 4.
Allowance for newspaper stamps on hand; 5.
Certain publications to be deemed newspapers; 6.
Registration of newspapers at Post Office; 7.
Postage on newspapers, book and pattern or sample packets and cards; 8, 9.
Saving for parliamentary proceedings; 10.
Newspapers under arrangement or convention, and colonial and foreign postage of newspapers, &c.; 11–13.
Decision as to newspapers, packets, &c.; 14.
Newspapers, &c. sent not in conformity with Act, &c.; 15.
Application to book packets, &c. of enactments as to post letters; 16.
Despatch and delivery of book packets, &c.; 17.
Provision for stamps, &c.; 18.
Prohibition of user of embossed or impressed stamps removed from paper, &c.; 19.
Prohibition of sending indecent articles, &c. by post; 20.
Proof of Post Office regulations, &c.; 21.
SCHEDULE of Enactments repealed, &c.

PRINTING PRESSES. *See* PEACE PRESERVATION (IRELAND).

PRINT WORKS. *See* FACTORIES AND WORKSHOPS.

PROPERTY OF MARRIED WOMEN. *See* MARRIED WOMEN'S PROPERTY.

PROTECTION OF INVENTIONS:

For the Protection of Inventions exhibited at International Exhibitions in the United Kingdom. Ch. 27. page 210

Short title; Sect. 1.
Exhibition of new inventions or designs not to prejudice patent rights or right to registration; 2, 3.
Act to apply to the Workmen's International Exhibition, 1870, and to international exhibitions in general; 4.

PROVISIONAL ORDERS:

To empower Committees on Bills confirming Provisional Orders to award Costs and examine Witnesses on oath. Ch. 1. page 1

Committees of either House of Parliament on Bills confirming Provisional Orders may award costs, and Committees of House of Commons may examine witnesses upon oath; Sects. 1, 2.

——— *See also* GAS AND WATER WORKS.

PUBLIC SCHOOLS:
To amend The Public Schools Act, 1868 (31 & 32 Vict. c. 118.). Ch. 84. page 536
Short title; Sect. 1.
Extension of powers of new governing bodies; 2.
Duration of powers of Commissioners under recited Act; 3.

PUBLIC STOCKS. *See* NATIONAL DEBT.

PYX, TRIAL OF THE. *See* COINAGE.

Q.

QUARE IMPEDIT. *See* COMMON LAW PROCEDURE (IRELAND).

QUEEN ANNE'S BOUNTY (SUPERANNUATION):
To enable the Governors of Queen Anne's Bounty to provide Superannuation Allowances for their Officers. Ch. 89. page 558
Power to governors out of their general fund to grant retired allowances, and gratuities in certain cases; Sects. 1, 2.
No superannuation to be granted unless approved by Treasury; 3.
Restrictions as to grant of full superannuation allowance; 4.
Superannuation not to be granted to officers or clerks under 60, except upon medical certificate, nor on advanced amount of salary received for less than three years; 5, 6.
Superannuations to be inserted in annual return; 7.
Act not to confer right to superannunation or employment; 8.
Officers appointed under this Act to be subject to regulations hereafter made by Parliament; 9.

R.

RAILWAYS:
To amend The Railway Companies Powers Act, 1864 (27 & 28 Vict. c. 120.), and The Railway Construction Facilities Act, 1864 (27 & 28 Vict. c. 121.) Ch. 19. page 185
Short title; Sect 1.
Repeal of certain parts of recited Acts; 2.
Powers of Board of Trade where notice of opposition lodged; 3.
Confirmation of Provisional Certificate by Act of Parliament; 4.
Repeal of section 33 of 27 & 28 Vict. c. 121., and application of sections 4, 6, 7, and 8 of 9 & 10 Vict. c. 57. as to gauge of railways; 5.
Amendment of Part IV. of Schedule to 27 & 28 Vict. c. 121.; 6.
SCHEDULE of Notices.

REAL ACTIONS ABOLITION (IRELAND). *See* COMMON LAW PROCEDURE (IRELAND).

REFINED SUGAR DUTIES (ISLE OF MAN). *See* CUSTOMS (ISLE OF MAN).

REGISTRATION OF DESIGNS. *See* PROTECTION OF INVENTIONS.

REMUNERATION OF ATTORNEYS, &c. *See* ATTORNEYS AND SOLICITORS REMUNERATION.

RENTS, APPORTIONMENT OF:
For the better Apportionment of Rents and other periodical payments. Ch. 35. page 233
See APPORTIONMENT OF RENTS, &c.
RINDERPEST. *See* CATTLE DISEASE (IRELAND).
ROYAL IRISH CONSTABULARY. *See* CONSTABULARY FORCE (IRELAND).
ROYAL MARINES. *See* MUTINY.
ROYAL MINT. *See* COINAGE.

S.

SALE OF POISONS (IRELAND):
To regulate the Sale of Poisons in Ireland. Ch. 26. page 208
Articles named in Schedule A. to be deemed poisons within meaning of the Act; Sect. 1.
Regulations to be observed in the sale of poisons; 2.
Adulteration of Food or Drink Act (23 & 24 Vict. c. 84.) to extend to medicines; 3.
Recovery and application of penalties; 4.
SCHEDULES A. and B.
SALMON EXPORTATION:
To amend the Acts 26 & 27 Vict. c. 10. and 28 & 29 Vict. c. 121., relating to the Export of unseasonable Salmon. Ch. 33. page 232
Short title; Sect. 1.
Commencement of Act, 3d Sept. 1870; 2.
Amendment of 26 & 27 Vict. c. 10., and 28 & 29 Vict. c. 121., by substituting 30th April for 2d February in certain sections; 3, 4.
SANITARY ACT, 1866:
To amend certain provisions in the Sanitary and Sewage Utilization Acts. Ch. 53. page 300
Short title; Sect. 1.
All hospitals in the metropolis held to be within district of every nuisance authority for purposes of sect. 26 of the Sanitary Act, 1866; 2.
How notices shall be given in special drainage districts consisting of part of a parish or made up by more than one parish; 3.
How orders and demands are to be served or sent in special drainage districts; 4.
To amend the Sanitary Act, 1866, so far as relates to the City of Dublin. Ch. 106. page 686
Public Works Loan Commissioners may advance to town council a sum not exceeding 350,000*l.* for purification of the Liffey, &c.; Sect. 1.
Application of moneys raised under this Act; 2.
Repayment of advances; 3.
Payment of expenses incurred in the execution of Act; 4.
Arrears may be enforced by appointment of a receiver; 5.

SCHOOLS. *See* ELEMENTARY EDUCATION. PUBLIC SCHOOLS.

SCOTLAND. *For Acts relating specially to Scotland, see—*

ANNUITY TAX ABOLITION.
CENSUS.
INVERNESS COUNTY, &c.
MAGISTRATES, &c.
MUNICIPAL ELECTIONS.
PETTY CUSTOMS ABOLITION.
SHERIFFS.
WAGES.

SECRETARY OF WAR. *See* WAR OFFICE.

SERVICE IN THE ARMY. *See* ARMY.

SETTLED ESTATES. *See* LIMITED OWNERS RESIDENCES.

SEWAGE UTILIZATION ACTS:

To amend certain Provisions in the Sanitary and Sewage Utilization Acts. Ch. 53. page 300

See SANITARY ACT, 1866.

SHERIFFS (SCOTLAND):

To amend and extend the Act 16 & 17 Vict. c. 92., to make further provision for uniting counties in Scotland in so far as regards the jurisdiction of the Sheriff; and also to make certain provisions regarding the duties of Sheriffs and Sheriffs Substitute in Scotland. Ch. 86. page 538

County of Kincardine to be united to county of Aberdeen; Sect. 1.
County of Banff to be united with counties of Aberdeen and Kincardine, and counties of Elgin and Nairn to be united with county of Inverness; 2.
Counties of Orkney and Shetland to be united with county of Caithness, and county of Sutherland to be united with counties of Ross and Cromarty; 3.
County of Linlithgow to be united with the county of Mid-Lothian, and the county of Kinross to be united with the county of Fife; 4.
County of Haddington to be united with the county of Mid-Lothian, and the county of Berwick to be united with the counties of Roxburgh and Selkirk; 5.
Sheriffdom of Mid-Lothian, Linlithgow, Haddington, and Peebles to be called the Sheriffdom of the Lothians and Peebles; 6.
Counties of Wigtown and Kirkcudbright to be united with the county of Dumfries; 7.
County of Dumbarton to be united with the county of Stirling, and county of Bute with the county of Renfrew; 8.
Sheriffdom of Stirling, Dumbarton, and Clackmannan; 9.
No separate appointments to be made to the office of sheriff of the counties to be united; 10.
Sheriff to have no right to additional salary; 11.
Union of counties to be complete as regards jurisdiction, &c. of sheriff, and powers, privileges, &c. of procurators; 12.
Courts to be held and duties to be discharged by sheriffs; 13.
Courts to be held and duties to be discharged by sheriffs substitute; 14.

SHIPPING DUES EXEMPTION:

To amend The Shipping Dues Exemption Act, 1867 (30 & 31 Vict. c. 15.) Ch. 50. page 286

Agreements for compensation made but not sent in to the Board of Trade within the time prescribed by recited Act may be approved by Board of Trade; Sect. 1.

Construction of Act; 2.

Repealing 32 & 33 Vict. c. 52. (Shipping Dues Exemption Act Amendment Act, 1869); 3.

SIAM AND STRAITS SETTLEMENTS JURISDICTION:

To vest Jurisdiction in matters arising within the Dominions of the Kings of Siam in the Supreme Court of the Straits Settlements. Ch. 55. page 302

Preamble recites Order in Council of July 28, 1856, and 20 & 21 Vict. c. 75.

Short title; Sect. 1.

Jurisdiction in certain matters arising in Siam vested in Supreme Court of the Straits Settlements; 2.

Powers of Her Majesty in respect to said Supreme Court; 3.

SLIGO AND CASHEL DISFRANCHISEMENT:

To disfranchise the Boroughs of Sligo and Cashel. Ch. 38. page 241

Disfranchisement of Sligo and Cashel, and persons reported guilty of bribery disqualified; 1–3.

Evidence of reports; 4.

SOAP-MAKERS LICENSES. *See* INLAND REVENUE.

SOLICITORS:

To amend the law relating to the Remuneration of Attorneys and Solicitors. Ch. 28. page 211

See ATTORNEYS AND SOLICITORS REMUNERATION.

SOUTH TOWN. *See* NORFOLK BOUNDARY.

SPECIAL JURIES. *See* JURIES.

STAMP DUTIES:

For granting certain Stamp Duties in lieu of Duties of the same kind now payable under various Acts, and consolidating and amending provisions relating thereto. Ch. 97. page 602

Short title, commencement of Act, and interpretation; Sects. 1, 2.

Grant of duties in schedule; 3.

As to instruments charged with the duty of 35*s.*; 4.

As to instruments relating to property belonging to the Crown; 5.

All duties to be paid according to the regulations of this Act; 6.

General Regulations as to Duties; 7–28—viz.:

How instruments are to be written and stamped; 7.

Instruments to be separately charged with duty in certain cases; 8.

As to the use of appropriated stamps; 9.

Facts and circumstances affecting duty to be set forth; 10.

Money in foreign or colonial currency to be valued; 11.

Stock and marketable securities to be valued; 12.

Effect of statement of value; 13.

As to denoting stamp; 14.

STAMP DUTIES—*continued.*
General Regulations—*continued.*
Terms upon which instruments may be stamped after execution, and terms upon which unstamped or insufficiently stamped instruments may be received in evidence in any court; 15, 16.
Instrument not duly stamped inadmissible; 17.
The Commissioners may be required to express their opinion as to duty; 18–20.
Rolls, books, &c. to be open to inspection; 21.
Penalty for enrolling, &c. any instrument not duly stamped; 22.
How duties to be denoted; 23.
General direction as to the cancellation of adhesive stamps; 24.
Penalty for frauds in relation to adhesive stamps, &c.; 25.
Recovery of penalties; 26.
Affidavits and declarations how to be made; 27.
Moneys received and not appropriated to be recoverable in Court of Exchequer; 28.
Special Regulations as to Duties; 29–128—viz.:
Admissions generally; 29, 30.
Admissions to the degree of a barrister-at-law in Ireland, and of students to the society of King's Inns, Dublin; 31, 32.
Admissions or appointments to and grants of offices or employments; 33–35.
Agreements; 36.
Appointments, &c. to ecclesiastical benefices, &c.; 37.
Appraisements; 38.
Instruments of apprenticeship; 39, 40.
Original articles of clerkship; 41–44.
Bank notes, bills of exchange, and promissory notes; 45–55.
Bills of lading; 56.
Bills of sale; 57.
Bonds given in relation to duties of Customs and Excise; 58.
Certificates of attorneys, &c.; 59–64.
Certificate of registration of a design; 65.
Charter-parties; 66–68.
Contract notes; 69.
Conveyances on sale; 70–77.
Conveyances on any occasion except sale or mortgage; 78.
Attested copies and extracts; 79.
Certified copies and extracts from registers of births, &c.; 80.
Copyhold and customary estates; 81–86.
Delivery orders and warrants; 87–92.
Duplicates and counterparts; 93.
Exchange or excambion, &c.; 94.
Grants of honors or dignities; 95.
Leases, &c.; 96–100.
Letters of allotment, scrip certificates, and scrip; 101.
Letters or powers of attorney and voting papers; 102–104.
Mortgages, &c.; 105–115.
Notarial acts; 116.
Policies of insurance; 117–119.
Receipts; 120–123.
Settlements; 124–126.
Share Warrants; 127.
Transfers of shares in Cost Book Mines; 128.
SCHEDULE of duties granted.

STAMP DUTIES—*continued.*

For consolidating and amending the Law relating to the Management of Stamp Duties. Ch. 98. page 659

Short title and commencement of Act, and interpretation of terms: Sects. 1, 2.
Duties to be managed by the Commissioners; 3.
Former references to stamp duties to apply to this Act; 4.
As to licences to deal in stamps; 5.
As to the contents and effect of a licence; 6.
Penalty for unauthorized dealing in stamps; 7–9.
Provisions as to the determination of a licence; 10.
Penalty for hawking stamps; 11.
As to the sale of postage stamps; 12.
Discount on sale of stamps; 13.
Allowance for spoiled and for misused stamps; 14–16.
Stamps not wanted may be repurchased by the Commissioners; 17.
Criminal offences relating to stamps; 18.
Proceedings for detection of forged dies, &c.; 19, 20.
Mode of proceeding when stamps are seized; 21.
Licensed person in possession of forged stamps to be presumed guilty until contrary is shown; 22.
Proceedings for the detection of stamps stolen or obtained fraudulently; 23.
As to the discontinuance of dies; 24.
As to defacement of adhesive stamps; 25.
Recovery of penalties; 26.
Affidavits and declarations, how to be made; 27.

For the repeal of certain enactments relating to the Inland Revenue. Ch. 99. page 670

Short title, and commencement of Act; Sect. 1.
Enactments in schedule (relating to stamp duties) repealed; 2.
Interpretation; 3.

To declare the Stamp Duty chargeable on certain Leases. Ch. 44. page 248

——— *See also* INLAND REVENUE.

STANDARD OF COINS. *See* COINAGE.

STATUTE LAW REVISION:

For further promoting the revision of the Statute Law by repealing certain enactments that have ceased to be in force or are consolidated by Acts of the present Session. Ch. 69. page 341

Enactments in schedule (relating to the National Debt, and to Forgery) repealed, subject to exceptions, &c.; Sect. 1.
Short title; 2.

STOCKS, PUBLIC. *See* FORGERY. NATIONAL DEBT.

STOLEN GOODS. *See* LARCENY (ADVERTISEMENTS).

STRAITS SETTLEMENTS. *See* SIAM AND STRAITS SETTLEMENTS JURISDICTION.

STREET TRAMWAYS. *See* TRAMWAYS.

SUGAR DUTIES. *See* CUSTOMS, &c.

SUNDAY NOTICES. *See* NOTICES (ISLE OF MAN).

SUPERANNUATION. *See* MEDICAL OFFICERS, &c. QUEEN ANNE'S BOUNTY.

SURRENDER OF CRIMINALS. *See* EXTRADITION.

SURVEY OF GREAT BRITAIN, &c.:

To amend the Law relating to the Surveys of Great Britain, Ireland, and the Isle of Man. Ch. 13. page 164

Preamble recites 6 Geo. 4. c. 99., 17 & 18 Vict. c. 17., 18 & 19 Vict. c. 117., 4 & 5 Vict. c. 30., and 19 & 20 Vict. c. 61.
Short title and construction of Act; Sects. 1, 2.
Transfer of powers to Commissioners of Works; 3.
Repeal of 45 Geo. 3. c. 109. and 19 & 20 Vict. c. 61.; 4.
Continuance of Act; 5.

SURVEYOR-GENERAL OF ORDNANCE. *See* WAR OFFICE.

T.

TELEGRAPHS:

To extend the Telegraph Acts of 1868, 1869 (31 & 32 Vict. c. 110. and 32 & 33 Vict. c. 73.), to the Channel Islands and the Isle of Man. Ch. 88. page 556

Short title; Sect. 1.
Incorporation of provisions of Telegraph Acts, 1868, 1869, and extension of those Acts to Channel Islands and Isle of Man; 2, 3.
Power to Postmaster-General to purchase the undertaking of the Jersey and Guernsey Telegraph Company, Limited; 4.
Confirmation of agreement with the Isle of Man Electric Telegraph Company; 5.
Postmaster-General may purchase undertakings of companies for transmitting telegrams to Channel Islands; 6.
Reservation as to the undertaking of the Submarine Telegraph Company; 7.
Amendment of section 6. of the Act of 1868, and saving as to agreements in schedule of that Act; 8, 9.

TENANT RIGHT. *See* LANDLORD AND TENANT (IRELAND).

THREATENING LETTERS. *See* PEACE PRESERVATION (IRELAND).

TRAMWAYS:

To facilitate the construction and to regulate the working of Tramways. Ch. 78. page 490

Short title, limitation of Act, and interpretation of terms, Sects. 1–3.
Provisional Orders authorising construction of tramways; 4–21.
Construction of tramways; 22–33.
As to carriages; 34.
Licenses to use tramways; 35–40.
Discontinuance of tramways; 41.

TRAMWAYS—*continued.*
Insolvency of promoters; 42.
Purchase of tramways by local authority; 43.
Tolls, &c.; 44.
Byelaws by local authority; 45–48.
Offences, penalties, &c.; 49–54.
Miscellaneous provisions; 55–64.
SCHEDULES.

TRANSFER OF PATRONAGE. *See* ECCLESIASTICAL PATRONAGE.

TRANSFER OF STOCK. *See* NATIONAL DEBT.

TREASON:
To abolish Forfeitures for Treason and Felony, and to otherwise amend the law relating thereto. Ch. 23. page 197
See FELONY.

TRUCK COMMISSION:
For appointing a Commission to inquire into the alleged prevalence of the Truck System, and the disregared of the Acts of Parliament prohibiting such system, and for giving such Commission necessary powers for conducting such Inquiry. Ch. 105. page 682
Preamble recites Wages Act, 1 & 2 W. 4. c. 37.
Short title and extent of Act; Sects. 1, 2.
Appointment of Commissioners, &c.; 3–6.
Witnesses, indemnity, &c.; 7–9.
Protection to Commissioners, &c. in conducting inquiries; 10.
Service of summons; 11.
Protection to persons furnishing true accounts of evidence; 12.
Limitation of actions; 13.

TRUST FUNDS. *See* CHARITABLE FUNDS INVESTMENT.

TURNPIKE TRUSTS, &c.:
To continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads. Ch. 73. page 387
Repeal, continuance, and expiration of certain Turnpike Acts as specified, Sects. 1–9.
Maintenance of certain highways; 10.
Stone to be raised within any highway district; 11.
Bridges to become county bridges; 12.
Turnpike roads extending into two counties; 13.
Short title; 14.
SCHEDULE.
To confirm a certain Provisional Order made under the Act 14 & 15 Vict. c. 38. to facilitate arrangements for the relief of Turnpike Trusts. Ch. 22. page 196

U.

UNCLAIMED DIVIDENDS. *See* NATIONAL DEBT.

UNION OF COUNTIES. *See* SHERIFFS (SCOTLAND).

V.

VALUATION RETURNS (METROPOLIS). *See* INLAND REVENUE.

VESTRIES (ISLE OF MAN). *See* NOTICES (ISLE OF MAN).

VOTERS DISFRANCHISEMENT. *See* BRIDGWATER AND BEVERLEY. DUBLIN. NORWICH. SLIGO AND CASHEL.

W.

WAGES:

To limit Wages Arrestment in Scotland. Ch. 63. page 331

Preamble recites 7 W. 4. & 1 Vict. c. 41. (Small Debts, Scotland).
Wages of artificers not to be liable to arrestment for debts contracted after 1st Jan. 1871; Sect. 1.
Limitation of liability of wages to arrestment; 2.
As to debts incurred before passing of Act; 3.
Act not to affect decrees for alimentary allowances or for rates and taxes; 4.
Short title; 5.

To abolish Attachment of Wages. Ch. 30. page 221

Preamble recites Order in Council of 18th Nov. 1867, by which certain provisions of the Common Law Procedure Act, 1854, were extended to the County Courts.
No order of attachment of wages to be made by Judge of Court of Record or inferior Court after passing of Act; Sect. 1.
Short title; 2.

——— *See also* TRUCK COMMISSION.

WAR OFFICE:

For making further provision relating to the Management of certain Departments of the War Office. Ch. 17. page 182

Preamble recites 18 & 19 Vict. c. 117. and 26 & 27 Vict. c. 12.
Short title; Sect. 1.
Appointment of Surveyor-General of Ordnance and of Financial Secretary of War Office, who shall be eligible to sit in Parliament; 2, 3.
Duties and salaries of officers so appointed; 4, 5.

WATCH CASES, SALE OF. *See* CUSTOMS AND INLAND REVENUE.

WATERWORKS. *See* GAS AND WATER FACILITIES.

WINE AND BEERHOUSES:

To amend and continue The Wine and Beerhouse Act, 1869 (32 & 33 Vict. c. 27.). Ch. 29. page 216

Short title, extent of Act, and interpretation of terms; Sects. 1–3.
Amendment of 32 & 33 Vict. c. 27. as to grants, durations, and transmissions of certain certificates; 4.

WINE AND BEERHOUSES—*continued.*
Extending provisions of 32 & 33 Vict. c. 27. as to convictions, as to certain offences, and as to renewals of existing licences; 5–7.
Regulation as to closing of houses, &c.; 8.
Avoidance of licences upon refusal to renew certificate; 9.
As to beer dealer's additional retail licence; 10.
Power to justices to postpone applications for renewals; 11.
Limit of mitigation of penalties; 12.
As to entry by constables of houses licensed to retail sweets; 13.
Persons convicted of felony disqualified from selling spirits by retail; 14.
Visitation of suspected houses; 15.
Sect. 6 of 5 Geo. 4. c. 54., sect. 2 of 6 Geo. 4. c. 81., and sect. 6 of 13 & 14 Vict. c. 67., so far as relates to brewers' retail licences. repealed; 16.
Duration of 32 & 33 Vict. c. 27. and this Act; 17.

——— *See also* BEERHOUSES.

WITNESSES. *See* PROVISIONAL ORDERS.

WOMEN. *See* FACTORIES AND WORKSHOPS. MARRIED WOMEN'S PROPERTY.

WORKMEN'S INTERNATIONAL EXHIBITION. *See* PROTECTION OF INVENTIONS.

WORKSHOPS. *See* FACTORIES AND WORKSHOPS.

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